

FINAL

**FINDINGS OF SUITABILITY FOR EARLY TRANSFER
(FOSET)**

FORT MCCLELLAN, CALHOUN COUNTY, ALABAMA

SEPTEMBER 2003

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(FOSET)**

Fort McClellan, Calhoun County, Alabama

September 2003

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LIST OF ACRONYMS

ACES	Areas Covered by Environmental Services
ACM	Asbestos Containing Material
ADEM	Alabama Department of Environmental Management
AEL	Airborne Exposure Limit
APC	Armor-Piercing Capped
AST	Aboveground Storage Tanks
ASR	Archive Search Report
BCT	BRAC Cleanup Team
BERA	Baseline Ecological Risk Assessment
BRAC	Base Realignment and Closure
BTEX	Benzene, Toluene, Ethylene and Xylenes
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CERFA	Community Environmental Response Facilitation Act
CFR	Code of Federal Regulations
CG	Carbonyl Chloride (Phosgene)
CHPPM	Center for Health Promotion and Preventive Medicine
CK	Cyanogen Chloride
CNB	Chloroacetophenone, benzene, and carbon tetrachloride
CWM	Chemical Warfare Materiel
CX	Dichloroformoxime (phosgene oxime)
DANC	Decontamination Agent, non-corrosive
DCE	1,1-dichloroethene
DDESB	Department of Defense Explosives Safety Board
DMM	Discarded Military Munitions
DOD	Department of Defense
DOJ	Department of Justice
DS2	Decontamination Solution Number 2
EBS	Environmental Baseline Survey
ECP	Environmental Condition of Property
EE/CA	Engineering Evaluation/Cost Analysis
EIS	Environmental Impact Statement
EOD	Explosive Ordnance Disposal
EPA	Environmental Protection Agency
EPIC	Environmental Photographic Interpretation Center
EPP	Environmental Protection Provisions
ESA	Endangered Species Act
ESCA	Environmental Services Cooperative Agreement
ESV	Ecological Screening Values

FMC	Fort McClellan
FOSET	Finding of Suitability for Early Transfer
FOST	Finding of Suitability to Transfer
FWENC	Foster Wheeler Environmental Corporation
FWS	U.S. Fish and Wildlife Service
GB	Sarin-isopropyl methylphosphonofluoridate
GD	Pinacolyl methyl phosphonofluoridate
GPS	Global Positioning System
H	Mustard
HD	Distilled Mustard
HE	High Explosive
HUD	Department of Housing and Urban Development
HTRW	Hazardous, Toxic, and Radioactive Waste
JPA	Joint Powers Authority
L	lewisite
LBP	Lead-Based Paint
LUC	Land Use Control
LUCAP	Land Use Control Assurance Plan
LUCIP	Land Use Control Implementation Plan
MARSSIM	Multi Agency Radiological Survey and Site Investigation Manual
MCL	Maximum Contaminant Level
MEC	Munitions and explosives of concern
MLP	Mountain Longleaf Pine
MTBE	Methyl tertiary butyl ether
NEPA	National Environmental Policy Act
NRC	Nuclear Regulatory Commission
NOAEL	No-observed-adverse-effect-levels
OE	Ordnance and Explosives
ORS	Ordnance Related Scraps
OSHA	Occupational Safety and Health Administration
PAH	Polynuclear Aromatic Hydrocarbon
PCB	Polychlorinated Biphenyl
pCi/L	picocuries per liter
PERA	Preliminary Ecological Risk Assessment
ppm	parts per million
PRA	Preliminary Risk Assessment
RCW	Red-cockaded Woodpecker
RI	Remedial Investigation
SHPO	State Historic Preservation Officer
SI	Site Investigation

SINA	Special Interest Natural Areas
SLERA	Screening Level Ecological Risk Assessment
SRA	Streamlined Risk Assessment
SSSL	Site Specific Screening Levels
STB	Supertropical Bleach
SVOC	Semivolatile Organic Compounds
TCA	Trichloroethane
TCE	Trichloroethene
TCLP	Toxicity Characteristic Leaching Procedure
TPH	Total Petroleum Hydrocarbon
TPT	Target Practice Tracer
TRPH	Total Recoverable Petroleum Hydrocarbon
TSCA	Toxic Substance Control Act
TSRS	Technical Specifications and Requirements Statements
USACE	U. S. Army Corps of Engineers
UST	Underground Storage Tank
UXO	Unexploded Ordnance
VOC	Volatile Organic Compound
VX	O-ethyl-S(2-diisopropylaminoethyl)methylphosphonothiolate
WP	White Phosphorus

FINDING OF SUITABILITY FOR EARLY TRANSFER (FOSET)

Fort McClellan, Calhoun County, Alabama

August 2003

1.0 INTRODUCTION

The transfer of a portion of U. S. Army Garrison Fort McClellan (FMC) pursuant to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 120(h)(3)(C) was requested by the Anniston-Calhoun County Fort McClellan Development Joint Powers Authority (JPA), in a letter dated December 18, 2002.

Transfers pursuant to CERCLA Section 120(h)(3)(C) entitled “Deferral” are commonly referred to as “Early Transfers.” Section 120(h)(3)(C) allows the Governor of the State, in the case of a facility not listed on the United States Environmental Protection Agency (EPA) National Priorities List, to defer the requirement that the United States provide a covenant in the deed conveying the property warranting that all remedial action necessary to protect human health and the environment has been taken before the date of transfer. The United States will provide the warranty when all the response actions necessary to protect human health and the environment have been taken. The period between the transfer of title and the making of this final warranty is known as the “deferral period.” The intent is to facilitate efforts to stimulate the economy through productive reuse of the property while final remediation work is being conducted.

CERCLA §120(h)(3)(C) allows federal agencies to transfer property before all necessary cleanup action has been taken. The Governor of the State in which property (not on the CERCLA National Priority List) is located may defer the CERCLA requirement that the United States take all remedial action necessary to protect human health and the environment before the date of transfer if the Governor determines that the property is suitable for transfer on the basis of the following findings:

1. The property is suitable for transfer for the use intended by the transferee, and the intended use is consistent with protection of human health and the environment;
2. The deed or other agreements proposed to govern the transfer between the United States and the recipient of the property, to include the Cleanup Agreement between the JPA and Alabama Department of Environmental Management (ADEM), and the Environmental Services Cooperative Agreement (ESCA) between the U. S. Army and JPA, contains the assurances set forth in CERCLA §120(h)(3)(C)(ii), including: (1)

- the protection of human health and the environment; (2) no disruption of any pending or ongoing response actions or corrective actions, or oversight activities; (3) provision for schedules for investigation and completion of response actions; and (4) the use covenants/restrictions, as specified in the attached Environmental Protection Provisions (EPP) (Attachment 1) and Deed Notice (Attachment 2) necessary to protect human health and/or the environment after the early transfer, and to prevent interference with any existing or planned environmental restoration activities;
3. The federal agency that requests the deferral has provided notice, by publication in a newspaper of general circulation in the vicinity of the property, of the proposed transfer and of the opportunity for the public to submit, within a period of no less than 30 days after the date of the notice, written comments on the suitability of the property for transfer;
 4. The deferral and transfer of the property will not substantially delay any necessary response actions at the property.

CERCLA 120(h)(3)(C)(i) also requires the federal agency requesting deferral to provide the public an opportunity to provide written comments on the suitability of the property for transfer. In addition, Department of Defense (DOD) and United States Department of Army (U. S. Army) policy requires that the military department proposing to transfer property prepare a Finding of Suitability for Early Transfer (FOSET). This FOSET will be submitted as part of the Covenant Deferral Request from the U. S. Army for approval by the Governor of the State of Alabama.

2.0 PURPOSE

The purpose of this FOSET is to document the environmental suitability of the parcels (hereafter referred to as the Property), FMC, Alabama, for transferring to the JPA prior to completion of all remedial action, consistent with Fort McClellan Comprehensive Reuse Plan and with CERCLA §120(h) (3), and DOD and U. S. Army policy. In addition, the FOSET identifies use restrictions, as specified in the attached EPP (Attachment 1) and Deed Notices (Attachment 2), necessary to protect human health or the environment after early transfer, and to prevent interference with any existing or planned environmental restoration activities.

3.0 GENERAL PROPERTY DESCRIPTION

Fort McClellan is located in Calhoun County in the foothills of the Appalachian Mountains in northeast Alabama (Figure 1). The proposed Property for transfer is approximately 4692.76 acres of land with 81 facilities as summarized in Table 1 and shown on Figure 2.

4.0 ENVIRONMENTAL CONDITION OF THE PROPERTY

A determination of the environmental condition of the property was made based on the review of existing environmental documents, aerial photographs and recorded chain of title documents; completing associated physical and visual inspection of the site and the properties immediately adjacent to the Property; and conducting personal interviews. The information provided is a result of a complete search of agency files during the development of the Environmental Baseline Survey (EBS) and CERFA Letter Report. A complete list of documents that provide information on the environmental condition of property is included in Section 15.0.

4.1 Environmental Condition of Property (ECP) Categories

Table 2 summarizes the DOD Environmental Condition of Property (ECP) Categories and codes. Tables 3 and 4 and Figures 3-1 and 3-2, summarize and show CERFA and Non-CERCLA parcels within and adjacent to the Property and environmental condition of property, respectively. Following are the facilities and acreage of land for each ECP Category included in the Property proposed for transferring:

ECP Category 1: Areas where no storage, release, or disposal of hazardous substance or petroleum products has occurred (including no migration of these substances from adjacent areas). Facilities include Access Control Facility, Building 1998; Outdoor Theatre, Building 3152; Limited Use Installation, Building 3192; Grandstand Bleachers, Facilities 3190 and 3197; Playground, Family Housing Commissioned Officer/Warrant Officer, Building 3339, Facility 3344; and Vehicle Bridges, Facilities 4319, and 4365. Approximately 4314.66 acres of land is included in Category 1 property. Property with UXO and DMM is included in this category.

ECP Category 2: Areas where only release or disposal of petroleum products has occurred. There are no Category 2 areas in Property proposed for transfer.

ECP Category 3: Areas where release, disposal, and or migration of hazardous substance has occurred, but at concentrations that do not require a removal or remedial response. Facilities include USAR Center, Building 1617; Wash Platform Organization, Facility 1643; Grease

Rack, Facility 1646; USAR Vehicle Maintenance, Facilities 1689 and 1698; Load/Unloading Dock Ramp, Facility 1690; Storage Group Installation, Facilities 1693 and 1697; Vehicle Maintenance Shop, Facility 1696; Open Storage Installation, 1699; Transient Quarters, Building 3137; and High Explosive Magazine Installation, Facility 4417. Approximately 26.21 acres of land is included in Category 3 property.

ECP Category 4: Areas where release, disposal, and or migration of hazardous substance has occurred, and all removal or remedial actions to protect human health and the environment have been taken. One Category 4 facility is included in the proposed transfer; Waste Oil Underground Storage Tank, Facility 1696W. Approximately 0.08 acres of land is included in Category 4 property.

ECP Category 5: Areas where release, disposal, and or migration of hazardous substance has occurred, and removal or remedial actions are underway, but all required remedial actions have not yet been taken. . One Category 5 facility is included in the proposed transfer; Sanitary Landfill, Facility 428. Approximately 59.19 acres of land is included in Category 5 property.

ECP Category 6: Areas where release, disposal, and or migration of hazardous substance has occurred, but required actions have not yet been implemented. Facilities include Family Housing Commissioned Officer/Warrant Officer, Buildings 3335 and 3337; General Installation Buildings, Buildings 4450 and 4456; Storage Group Installation Buildings, Buildings 4452, 4453, 4454, and 4455; Separate Toilet/Shower, Facilities 4458 and 4459; Covered Training Area, Facility 4461; Grandstand/Bleachers, Facilities 4462, 4463, 4464, 4465, 4466, 4467, and 4468. Approximately 217.56 acres of land is included in Category 6 property.

ECP Category 7: Areas that are not evaluated or require additional evaluation. Facilities include Maintenance Storage, Facility 335; Heating Plant Building, Building 336; Chapel, Building 1740; Exchange Auto Service, Facility 2109; Underground Storage Tanks, Facilities 2109G, 2109N, and

2109W; Vehicle Maintenance Shop, 3138; Flammable Material Storage Installation, Facility 3141; Wash Platform Organization, Facility 3142, Gravity Oil/Grease Separator, Facility 3143; Storage Group Installation, Building 3144; Grease Rack, Facility 3145; Working Animal Building, Building 3172; and Dispatch Building, Building 3194. Approximately 75.06 acres of land is included in Category 7 property.

4.2 Hazardous Substances Storage, Release, and Disposal

4.2.1 Hazardous Substance Storage

As a result of historical activities on the property, hazardous substances were stored for one year or more, released, or disposed on the property in excess of the reportable quantities listed in Title 40, Code of Federal Regulations (CFR), Parts 373 and 302.4. Notification of areas where hazardous substance storage, release, or disposal occurred is summarized in Table 5.

4.2.2 Investigations

Ongoing Investigations:

Site Investigations (SI) are currently underway for the following Parcels (a parcel description and the party responsible for investigation is noted).

- **93(7)** – Chemical Laundry Area and 1200 Motor Pool. The Army is responsible for finalizing SI and No Further Action (NFA) determination. No Further Action has been requested, Regulator concurrence pending.
- **181(7)** – Training Area T-4, Former Biological Simulant Test Area. The Army is responsible for finalizing SI and No Further Action (NFA) determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **194(7)** – Former Weapons Demonstration Area. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.
- **518(7)** – South Gate Toxic Gas Yard. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel. The deed will contain a restricted use notice as provided in Attachment 2.

- **73Q-X** – Range 17: Explosives Proficiency Training Area. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **91Q-X** – Dud Impact Area. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **100Q, 101Q Impact Area South of POW** – Former Rifle/Machine Gun Range (Impact Area). The Army is responsible for remediation/remedy. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **115Q** – Former Small Arms Range. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **116Q-X** – Former 60 mm Mortar Area (Museum Area). The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **117Q-X** - Former Main Post Impact Area (Museum Area). The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **129Q-X** - Vietnam Village on Southwestern Main Post. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **151Q** – Former Rifle Range. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **200Q, 201Q**– Former Landscape Range (Washington Range). The Army is responsible for finalizing SI, and NFA determination. Upon submittal of final SI, Army will request No Further Action for these parcels.
- **228Q** – Former Machine Gun Transition Range. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **229Q-X** – Former Rocket Launcher Range. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **231Q** – Former Range (O.Q. – 2A.). The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.

- **232Q-X** – Area 45/M2. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.

Final Site Investigation Reports have been issued for the following Parcels (a parcel description and the party responsible for investigation is noted):

- **155(7)** - Ground Scar w/pit, N. of Landfill #3. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.
- **188(7)** – Old Toxic Training Area. The parcel occupied an area of up to 10,000 square feet. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.
- **517(7)** – CBR Proficiency Area. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.

Draft Site Investigation Reports and other technical documents have been issued for the following Parcels (a parcel description and the party responsible for investigation is noted):

- **21(7), 22(7)** – UST @ Base Service Station, Building 2109. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.
- **24(7), 25(7), 212(7)** - UST Building 3138 in Motor Pool Area 3100. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.
- **73(7)** – Washrack, Building 3142, Motor Pool Area 3100. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.
- **127(7)** – Soldier's Chapel, Building 1740. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.
- **132(7), 133(7), 134(7)** – Former Chemical Laundry and MP Area 1500. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.
- **140(7)** – Former Gas Station @ Area 1200 Motor Pool, Building. 1294. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.

- **146(7)** - Motor Pool Area 3100 (Near Poly Inst). The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.
- **517(7)** - CBR Proficiency Area. The Army is responsible for finalizing SI and NFA determination. No Further Action has been requested, Regulator concurrence pending.
- **88Q (End of Cycle Test Range)** – Range 30. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **92Q-X, 93Q-X** – Former Tank Range. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **100Q, 101Q (Firing Line), 102Q, 104Q** – Former Rifle/Machine Gun Range. Area includes unnamed small arms range, tank sub-caliber/carbine, transition/machine gun range (OA-08) and grenade court (OA-15). The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **106Q-X** – Range 30: Former Rifle Range/Grenade Area. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **107Q-X** - Former Grenade Area. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **89Q-X** – Range 31-Historical Ranges. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **132Q-X, 133Q-X** – Impact Area, North Central Main Post. The Army is responsible for finalizing SI and NFA determination. No Further Action was requested, Regulator concurrence pending for 132Q-X. Upon submittal of final SI, Army will request No Further Action for parcel 133Q-X.
- **215Q**– Range #2. The Army is responsible for finalizing SI and NFA determination. No Further Action was requested, Regulator concurrence pending.
- **Area North of MOUT** – Included in Alpha EE/CA. The Army is responsible for finalizing SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.

Remedial investigations (RI) are currently underway for Parcels (a parcel description and the party responsible for investigation is noted):

- **180(7)** – Former Detection and ID Area. The Army is responsible for completing characterization and remediation/remedy.
- **182(7)** – Training Area T-5, Former Toxic Hazards Detection/Decontamination. The Army is responsible for completing characterization and remediation/remedy.
- **183(6), including 510(7)** – Training Area T-6, Former Agent Decontamination Training. The JPA is responsible for completing characterization in accordance with the ESCA. The Army is responsible for remediation/remedy. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.
- **186(6)** – Training Area T-38, Former Tech Escort Reaction Area. T-38 occupies 6.1 acres. The JPA is responsible for completing characterization in accordance with the ESCA. The Army is responsible for remediation/remedy. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.
- **511(7)** – Area T-5 Hazardous Detect/Decon Training Area. The Army is responsible for completing characterization and remediation/remedy. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.
- **512(7)** - Area T-5 Hazardous Detect/Decon Training Area. One-half acre fenced yard inside parcel 511(7). The Army is responsible for completing characterization and remediation/remedy. The deed will contain a restricted use and a groundwater monitoring well notice and provided in Attachment 2.
- **513(7)** – Dog Training Area. The Army is responsible for completing characterization and remediation/remedy.
- **514(7)** – Old Burn Pit. The Army is responsible for completing characterization and remediation/remedy.
- **516(7)** – Dog Kennel Area. The Army is responsible for completing characterization and remediation/remedy.
- **112Q** – Former Machine Gun Range. The Army is responsible for completing characterization and remediation/remedy.
- **213Q** – Former Bandholtz field Machine Gun firing Range #2. The Army is responsible for completing characterization and remediation/remedy.
- **214Q** – Former Bandholtz field firing Range- Main Post. The Army is responsible for completing characterization and remediation/remedy.
- **69Q (Iron Mountain Road Ranges)** – Skeet Range. The Army is responsible for completing characterization and remediation/remedy.
- **70Q (Iron Mountain Road Ranges)** – Range 12: Competitive Pistol Range. The Army is responsible for completing characterization and remediation/remedy.
- **71Q (Iron Mountain Road Ranges)** – Range 13: Competitive Pistol Range. The Army is responsible for completing characterization and remediation/remedy.

- **75Q (Iron Mountain Road Ranges)** - Range 19: Qualification Pistol Range. The Army is responsible for completing characterization and remediation/remedy.
- **221Q-X (Iron Mountain Road Ranges)** - Former Rifle Grenade Range (Impact Area) N. of Washington Ranges. The Army is responsible for completing characterization and remediation/remedy.
- **222Q-X (Iron Mountain Road Ranges)** - Former Rifle Grenade Range (at skeet range). The Army is responsible for completing characterization and remediation/remedy.
- **74Q (Baby Bains Gap Ranges)** - Range 18: Down Range Feedback (known distance) Range. The Army is responsible for completing characterization and remediation/remedy.
- **79Q (Baby Bains Gap Ranges)** - **Range 23: Trainfire (Record) Range.** The Army is responsible for completing characterization and remediation/remedy.
- **83Q (Baby Bains Gap Ranges)** - Range 25: Known Distance (KD) Range. The Army is responsible for completing characterization and remediation/remedy.
- **84Q-X (Baby Bains Gap Ranges)** - Range 26: Live Fire and Maneuver Area. The Army is responsible for completing characterization and remediation/remedy.
- **86Q (Baby Bains Gap Ranges)** - Range 28: Blank Fire and Maneuver Range. The Army is responsible for completing characterization and remediation/remedy.
- **118Q-X (Baby Bains Gap Ranges)** - Former Main Post Impact Area (Range 25 backstop). The Army is responsible for completing characterization and remediation/remedy.
- **223Q (Baby Bains Gap Ranges)** - Former Range 25 - east. Rifle range. The Army is responsible for completing characterization and remediation/remedy.

Remedial Investigations/Feasibility studies are currently underway for Parcels (a parcel description and the party responsible for investigation is noted):

- **66(7)** – Former Ord Motor Repair Parcel 66, Building 335. The JPA is responsible for completing characterization and remediation/remedy in accordance with the ESCA. The deed will contain a groundwater usage, groundwater monitoring well notice as provided in Attachment 2.
- **94(7)** – Motor Pool Area 1500. The JPA is responsible for finalizing SI and NFA determination in accordance with the ESCA. The deed will contain a groundwater usage and groundwater monitoring well notice as provided in Attachment 2.

Remedial Investigations are planned for Parcels (a parcel description and the party responsible for investigation is noted):

- **72Q-X** - Range 16: Grenade Launcher Range/ Dud Impact Area. The Army is responsible for completing characterization and remediation/remedy.

- **87Q-X** - Range 29: Weapons Demonstration Range. The Army is responsible for completing characterization and remediation/remedy.
- **88Q** - Range 30: End of Cycle Test Range. The Army is responsible for SI and NFA determination. Upon submittal of final SI, Army will request No Further Action for this parcel.
- **88Q** – Impact Area. The JPA is responsible for completing characterization and remediation/remedy in accordance with the ESCA.
- **103Q (Impact Area)** – Former Rifle/Machine Gun Range. The JPA is responsible for completing characterization and remediation/remedy.
- **110Q** - Former Rifle Range. The Army is responsible for completing characterization and remediation/remedy.
- **111Q** - Former Rifle Range. The Army is responsible for completing characterization and remediation/remedy.
- **114Q-X** - Former Large Caliber Range. The Army is responsible for completing characterization and remediation/remedy.
- **130Q-X** - Mock Village, located at present Yahoo Lake. The Army is responsible for completing characterization and remediation/remedy.
- **150Q** – Former Rifle Range. The Army is responsible for completing characterization and remediation/remedy.
- **230Q-X** – Include parcels **184(7), 185(7) and 149(Q)** – Former 37 mm Anti-Tank range. Training Area T-31 Former Technical Escort Reaction Area. JPA is responsible for completing characterization and remediation/remedy in accordance with the ESCA.
- **239Q-X** - Impact Area, Central Main Post. The Army is responsible for completing characterization and remediation/remedy.

Landfill/Fill Area Engineering Evaluation/Cost Analysis (EE/CA) investigations are currently underway for Parcels (a parcel description and the party responsible for investigation is noted; also see section 4.11 for further details). The deed will contain the covenant and notices provided in the EPPs (Attachment 1) and Deed Notices (Attachment 2):

- **78(6)** - LF #1 was the Sanitary LF from 1945-47. The JPA is responsible for remediation/remedy in accordance with the ESCA. The deed will contain a soil restriction notice as provided in Attachment 2.
- **79(6)** - LF #2 was used as a Sanitary LF until 1947. The JPA is responsible for remediation/remedy in accordance with the ESCA. The deed will contain a non-residential, groundwater monitoring well notice and soil restrictions as provided in Attachment 2.

- **80(6)** - LF #3 is located in the northwest corner of the main post. The JPA is responsible for completing groundwater characterization and remediation/remedy in accordance with the ESCA. The deed will contain a soil restriction, non-residential, groundwater usage and groundwater monitoring well notice as provided in Attachment 2.
- **81(5)** - Landfill #4 comprises 43 acres and is adjacent to the Industrial LF. The JPA is responsible for remediation/remedy in accordance with the ESCA. The deed will contain a groundwater usage, groundwater monitoring well and soil restriction notice as provided in Attachment 2.
- **126(7)** - This area was identified in 1946 as a Post Garbage Dump. The JPA is responsible for completing characterization and remediation/remedy in accordance with the ESCA. The deed will contain a soil restriction and groundwater monitoring well notice as provided in Attachment 2.
- **175(5)** - Industrial LF is located on 13 acres of former LF #4 that was not previously used. The JPA is responsible for remediation/remedy in accordance with the ESCA. The deed will contain a groundwater usage, groundwater monitoring well and soil restriction notice as provided in Attachment 2.
- **227(7)** – Fill area East of Reilly Airfield. The JPA is responsible for completing characterization and remediation/remedy in accordance with the ESCA. The deed will contain soil restrictions and groundwater monitoring well notice and provided in Attachment 2.
- **229(7)** – The fill area NW Reilly Air Field. The fill area is adjacent to Reilly Airfield and is about 6 acres. The JPA is responsible for completing characterization and remediation/remedy in accordance with the ESCA. The deed will contain a soil restriction and groundwater monitoring well notice as provided in Attachment 2.
- **230(7)** - The Fill area is a short distance northeast of LF 2 and north of the ASP. The JPA is responsible for remediation/remedy in accordance with the ESCA. The deed will contain a UXO/DMM, groundwater monitoring well and soil restriction notice as provided in Attachment 2.
- **231(7)** – A Probable Fill Area at Range 30. The Army is responsible for finalizing SI and NFA determination.

EE/CAs for Munitions and Explosives of Concern (MEC), also known as Ordnance and Explosives (OE), are underway for the following (a parcel description and the party responsible for investigation is noted. See Section 4.9 for further details on these parcels):

- **Alpha** - The total area covered by the Alpha Area EE/CA is approximately 930 acres. Alpha Area was originally divided into sectors for the EE/CA Sampling Activities. The Alpha Area requires Characterization of a total of 193 acres, Surface Clearance of 288

acres. One foot clearance of 216 acres, and Clearance to depth for 192 acres. With the submittal of the final EE/CA the Army has requested a No Further Action for the remainder of the Alpha Area; Regulator concurrence pending. Details to be specified in the DDESB Explosives Safety Submission (ESS). Site wide actions include an Action Memorandum and conduct of five year reviews. Additional screening and characterization of two areas is required. JPA to prepare an addendum to the Army's Final Alpha Area EE/CA for the results of additional characterization and proposed actions in the Alpha Area. The Army has requested a No Further Action concurrence from ADEM for certain areas. The JPA will document these NFA decision in the final Action in accordance with the ESCA. The deed will contain a UXO/DMM and groundwater monitoring well notice and provided in Attachment 2.

- **Bravo** – The Bravo Area consist of approximately 3,387 acres located in the central and western portions of Fort McClellan. The area is heavily to moderately wooded with mixed pines and hardwood; but does have some open areas that were cleared for various activities during the active operation of the installation. There are no active facilities located within the Bravo Area; however the western portion is bisected by a major active highway project known as the Eastern Bypass. The Army is responsible for cleanup of the Bravo Area. The deed will contain a UXO/DMM and groundwater monitoring well notice as provided in Attachment 2.

Tables 3 and 4 include information on parcels that are currently undergoing OE EE/CAs. Detailed OE information is addressed in Section 4.9.

Completed Investigations

A summary of the completed investigations is as follows :

Site investigations were completed and final documents issued for Parcels (a parcel description and the party responsible for investigation is noted):

- **18(3)** - UST @ Bldg 1697 Motor Pool. NFA w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.
- **19(3)** - UST @ Bldg 1694 Motor Pool. NFA w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.
- **71(3)** - Washrack, Bldg 1643, Motor Pool Area 1600. NFA w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.
- **105(3)** - Former Smoke Area R. NFA w/DD signed 02/26/01. ADEM concurrence letter dated 02/27/01.

- **106(3)** - Former Smoke Area S. NFA w/DD signed 07/16/01. ADEM concurrence letter dated 04/04/01.
- **122(3)** - Former Fog Oil Storage Area W. of Skeet Range. NFA w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.
- **124(3)**- Former Smoke Range BVZ. NFA w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.
- **147(3)**- Vehicle Maintenance Shop, Motor Pool Area 3100 (S. of 23rd Street). NFA w/DD signed 05/17/01. ADEM concurrence letter dated 03/16/01.
- **157(3)** – Ground Scar South of the Autocraft Shop. NFA w/DD signed 04/27/02. ADEM concurrence letter dated 02/04/02.
- **163(3)** - Motor Pool Area 1600. NFA w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.
- **177(3)** - AST @ Range 16. NFA w/DD signed 12/04/00. ADEM concurrence letter dated 11/06/00.
- **197(3)** - Ammunition Supply Point. NFA w/DD signed 03/21/01. ADEM concurrence letter dated 02/22/01.
- **500(3)** - Trenches W. of Iron Mountain Road. NFA w/DD signed 11/28/01. ADEM concurrence letter dated 11/13/01.
- **503(3)** - Motor Pool Area 1600. NFA w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.
- **90Q-X** - Range 32: Hand Grenade Range. NFA w/DD signed 02/14/02. ADEM concurrence letter dated 11/28/01.
- **99Q** - Former Rifle/Machine Gun Range. NFA w/DD signed 04/16/03. ADEM concurrence letter dated 04/07/03.
- **135Q-X**- Impact area, near Stump Dump. NFA w/DD signed 12/13/01. ADEM concurrence letter dated 11/28/01.
- **224Q** (Ranges South of Range 25) - Former Pistol Range S. of R25 – east. NFA w/DD signed 08/27/02. ADEM concurrence letter dated 08/06/02.
- **226Q** (Ranges South of Range 25) - Former Machine Gun Range. NFA w/DD signed 08/27/02. ADEM concurrence letter dated 08/06/02.
- **227Q** (Ranges South of Range 25) - Former Pistol Range. NFA w/DD signed 08/27/02. ADEM concurrence letter dated 08/06/02.

Site investigation results indicated that no chemicals associated with the sites present an unacceptable risk to either human health or the environment. Final decision documents have

been signed and “No Further Action” was approved by ADEM for the sites with regards to HTRW issues. The parcels 18(3), 19(3), 71(3), 105(3), 106(3), 122(3), 124(3), 147(3), 157(3), 163(3), 177(3), 197(3), 500(3), 503(3) were previously Category 7 (areas that are not evaluated or required additional evaluation) that were reclassified to Category 3 (areas where release, disposal, and or migration of hazardous substance has occurred, but at concentrations that do not require a removal or remedial response). Copies of the final reports and decision documents were provided to the JPA.

Remedial actions have been completed for the following parcels. Underground storage tanks were removed and/or closed in place and contaminated soil was excavated and underwent treatment or disposal at the Parcels (a parcel description and the party responsible for investigation is noted):

- **17(4)** - UST @ Bldg 1696 Motor Pool. NFA w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.
- **43(4)** - UST @ Bldg 796 (Bldg demolished). NFA w/DD signed 05/17/01. ADEM concurrence letter dated 02/20/01.
- **504(4)** - Motor Pool Area 1600. NFA w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.

Subsequent field investigations indicated that no chemicals associated with the above listed sites present an unacceptable risk to either human health or the environment. “No Further Action was approved by ADEM for Parcels 17(4), 43(4), and 504(4) with regards to HTRW issues. Parcels 17(4), 43(4) and 504(4) were previously recorded in the Decision Documents as Category 3 properties, however, since removal actions were conducted at the sites, the parcels were appropriately reclassified to Category 4 properties in this FOSET document. Copies of the final reports and decision documents were provided to the JPA.

A chemical warfare materiel (CWM) EE/CA was completed for the 17 parcels listed below. No further Action for CWM was approved by ADEM on October 7, 2002 and the Action Memorandum was signed on October 18, 2002 for all 17 sites. A parcel description and the party responsible for completing SI and HTRW RI are noted.

- **180(7)** - Former Detection & ID Area. RI ongoing. The Army is responsible for completing characterization and remediation/remedy.
- **181(7)** - Training Area T-4, Former Biological Simulant Test Area. The Army is responsible for finalizing SI and NFA. Upon submittal of final SI Army will request No Further Action for this parcel.

- **182(7)** - Training Area T-5, Former Toxic Hazards Detection/Decontamination. RI ongoing. The Army is responsible for completing characterization and remediation/remedy.
- **183(6)** - Training Area T-6, Former Agent Decon Training. RI ongoing. The JPA is responsible for completing characterization in accordance with the ESCA. The Army is responsible for remediation/remedy. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.
- **184(7)** - Training Area T-31, Former Tech Escort Reaction Area. RI Required. The JPA is responsible for completing characterization and remediation/remedy in accordance with the ESCA.
- **185(7)** - Former Tech Escort Reaction Area. RI Required. The JPA is responsible for completing characterization and remediation/remedy in accordance with the ESCA.
- **186(6)** - Training Area T-38, Former Tech Escort Reaction Area. RI ongoing. The JPA is responsible for completing characterization in accordance with the ESCA. The Army is responsible for remediation/remedy. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.
- **188(7)** - Old Toxic Training Area. The Army is responsible for finalizing SI and NFA. No Further Action requested, ADEM concurrence pending.
- **194(7)** - Former Weapons Demonstration Area. Upon submittal of final SI Army will request No Further Action for this parcel. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.
- **510(7)** - Cane Creek Training Area. RI required. The JPA is responsible for completing characterization in accordance with the ESCA. The Army is responsible for remediation/remedy. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.
- **511(7)** - Blacktop Training Area. RI ongoing. The Army is responsible for completing characterization and remediation/remedy. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.
- **512(7)** - Fenced Yard in Blacktop Area. . RI ongoing. The Army is responsible for completing characterization and remediation/remedy. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.
- **513(7)** - Dog Training Area. RI ongoing. The Army is responsible for completing characterization and remediation/remedy.
- **514(7)** - Old Burn Pit. RI ongoing. The Army is responsible for completing characterization and remediation/remedy.
- **516(7)** - Dog Kennel Area. RI ongoing. The Army is responsible for completing characterization and remediation/remedy.

- **517(7)** - CBR Proficiency Area. No Further Action requested, Regulator concurrence pending.
- **518(7)** - South Gate Toxic Gas Yard. Upon submittal of final SI, Army will request No Further Action for this parcel. The deed will contain a restricted use and groundwater monitoring well notice as provided in Attachment 2.

Based on existing historical information, analyses of historical aerial photographs, and site visits, Parsons Engineering Science, Inc, (Parsons) concluded that sufficient information was available for the five parcels 180(7), 182(7), 194(7), 516(7), and 517(7) to demonstrate the absence of chemical agents without the need for further investigation. Investigations including geophysical methods, soil sampling and analysis, and/or excavations were conducted for the remaining 12 parcels: 181(7), 183(6), 184(7), 185(7), 186(6), 188(7), 510(7), 511(7), 512(7), 513(7), 514(7), and 518(7). The EE/CA investigation results indicated that residual chemical agent or agent degradation products were not detected in the soils at the sites and the risk of exposure to CWM at these sites is unlikely. Detailed CWM information is addressed in Section 4.9. Copies of the CWM EE/CA report and action memorandum were provided to the JPA.

OE removal was completed for the M1.01 and M3 Miscellaneous property. A copy of the removal report was provided to the JPA. See Sections 4.9.1 and 4.9.2 for further details on these sites.

4.3 Petroleum and Petroleum Products

4.3.1 Storage, Release, or Disposal of Petroleum Products [not in underground storage tanks or aboveground storage tanks]

There is no evidence that any petroleum or petroleum products in excess of 55 gallons at one time were stored, released, or disposed of on the property. Accordingly, there is no need for any notification of petroleum product storage, release, or disposal.

4.3.2 Underground and Aboveground Storage Tanks (UST/AST)

Notification of petroleum product in aboveground and underground storage tanks is summarized in Tables 6 and 7, respectively.

Aboveground Storage Tanks (ASTs)

Eleven 500-gallon heating oil former ASTs were used to store petroleum products at the Property. The eleven ASTs were located at Ranges 16, 18, 19, 19B, 20, 25, 26, 28, 29, 31, and 32. All eleven ASTs were installed in 1986 and removed between 1999 and 2000.

Underground Storage Tanks (USTs)

A total of up to 31 underground storage tanks were used to store petroleum products within the Property. The USTs were located at facilities 796, Parcel 43(4); 1294, Parcel 140(7); 1494, Parcel 133(7), 1594, Parcel 132(7); 1594A, Parcel 134(7); 1689, Parcel 503(3); 1693, Parcel 504(4), 1694, Parcel 19(3); 1696W, Parcel 17(4); 1697, Parcel 18(3); 2109G and N, Parcel 21(7); 2109W, Parcel 22(7); 3138D, Parcel 25(7); 3138F, Parcel 212(7); and 3138W, Parcel 24(7). Of the 31 tanks, six currently remain on the Property; all others have been removed except for two tanks that were closed in place. All UST removals were conducted in accordance with ADEM Admin Code 335-6-15, and all remaining USTs are registered with ADEM and meet the technical performance standards for the new UST systems in ADEM Admin Code 335-6-15.

Facility 796, Parcel 43(4). Facility 796 formerly consisted of one 1,000-gallon heating oil UST that operated since 1976 and was removed in 1996. During tank removal, the tank was observed to be in good condition. Soil samples were collected and field screened for organic vapors. Twenty one cubic yards of contaminated soil was excavated and stockpiled to await treatment/disposal. Stockpiled soil was sampled and analyzed for total petroleum hydrocarbon (TPH). Analytical results indicated TPH concentrations of 193 parts per million (ppm). The closure report did not document the disposition method of the removed soil.

In 1999, a UST closure assessment was conducted. Three subsurface soil and one groundwater sample were collected and analyzed for benzene, toluene, ethyl benzene, and xylenes (BTEX) and TPH. UST closure assessment results indicated that there are no chemicals associated with the site that present an unacceptable risk to either human health or the environment. “No Further Action” was approved, w/DD signed 05/17/01. ADEM concurrence letter dated 02/20/01.

Facility 1294, Parcel 140(7). Facility 1294 consisted of one 10,000-gallon diesel and one 10,000-gallon gasoline USTs that were installed in 1941. The date of removal is unknown. A geophysical survey was conducted and no UST was found at the site. Geophysical results led

to the removal and disposal of old piping. A UST investigation to determine presence or absence of contamination is currently underway. Site investigation results indicated that no chemicals associated with the site present an unacceptable risk to either human health or the environment. “No Further Action” requested, Regulator concurrence is pending for the sites.

Facility 1494, Parcel 133(7). Facility 1494 consisted of one 10,000-gallon diesel and one 10,000-gallon gasoline USTs that were installed in 1941. The date of removal is unknown. A geophysical survey was conducted and no UST was found at the site. Geophysical results led to the removal and disposal of two uncapped 2-inch diameter steel pipes approximately 9 feet in length.

A site investigation to determine presence or absence of contamination was completed. Site investigation results indicated that no chemicals associated with the site present an unacceptable risk to either human health or the environment. “No Further Action” requested, Regulator concurrence is pending.

Facility 1594, Parcel 132(7). Facility 1594 consisted of one 10,000-gallon diesel and one 10,000-gallon gasoline USTs that were installed in 1941 and the date of removal is unknown. A geophysical survey was conducted and no UST was found at the site. Geophysical results led to the removal and disposal of two uncapped 2-inch diameter pipes approximately 2-feet in length.

A site investigation to determine presence or absence of contamination was completed. Site investigation results indicated that no chemicals associated with the site present an unacceptable risk to either human health or the environment. “No Further Action” requested, Regulator concurrence is pending.

Facility 1594A, Parcel 134(7). Facility 1594A consisted of one 10,000-gallon diesel and one 10,000-gallon gasoline USTs that were installed in 1941. The date of removal is unknown. A geophysical survey was conducted and no UST was found at the site.

A site investigation to determine presence or absence of contamination was completed. Site investigation results indicated that no chemicals associated with the site present an unacceptable risk to either human health or the environment. “No Further Action” requested, Regulator concurrence is pending.

Facility 1689, Parcel 503(3). Facility 1689 consisted of a suspected one 500-gallon UST of unknown contents and of unknown operation dates. In 1991, six borings were installed around the suspected UST site. Soil samples were collected for laboratory analysis. Analytical results indicated that total lead ranged from 0.82 to 140 mg/kg, and oil and grease from non-detect to 580,000 mg/kg. Benzene was detected in one boring at a concentration of 140 µg/kg at a depth interval of 8 to 10 feet below ground surface. In 1991, the area of the suspected UST was excavated, however, no UST was found.

In 1999, site investigations were conducted for the site. Site investigation results indicated that no chemicals associated with the site present an unacceptable risk to either human health or the environment. “No Further Action” approved w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.

Facility 1693, Parcel 504(4). Facility 1693 consisted of a UST of unknown capacity and of unknown dates of operation that was removed in 1991. In 1990, six borings were installed at the UST site. Soil samples were collected for laboratory analysis. Analytical results indicated that total lead ranged from 7.9 to 120 ppm and TPH from non-detect to 2,000 ppm. Upon the removal of the UST, the four sides and bottom of the excavation were sampled. TPH concentrations were found to range from non detect to 710 ppm. Contaminated soil was excavated and transported to an area on the Main Post for incineration.

In 1999, site investigations were conducted for the site. Site investigation results indicated that no chemicals associated with the site present an unacceptable risk to either human health or the environment. “No Further Action” approved w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.

Facility 1694, Parcel 19(3). One 10,000-gallon diesel and one 10,000-gallon gasoline USTs were installed in 1942 and removed in 1991. During tank removal, six soil borings were installed around the perimeter of the tanks and soil samples were collected and analyzed for lead-toxicity characteristic leaching procedure (TCLP), total lead, oil and grease and BTEX. Analytical results indicated oil and grease concentrations ranged from non-detect to 1,100 ppm.

In 1999, site investigations were conducted for the site. Site investigation results indicated that no chemicals associated with the site present an unacceptable risk to either human health or the environment. “No Further Action” was approved w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.

Facility 1696W, Parcel 17(4). Facility 1696W contained one 2,000-gallon waste oil UST that was installed at the facility in 1982 and was closed in place and replaced with a 2,500-gallon fiberglass tank in 1994. During tank closure, the tank was observed to be in good condition. Approximately 7 feet of associated piping was removed. The UST was constructed of single-wall steel and no holes were observed in the tank. The tank was filled with concrete slurry. Soil samples were collected for analysis. TPH concentrations of 1,200 ppm were found in samples collected from the piping trench. Approximately two cubic yards of contaminated soil were stockpiled and sampled for analysis. The stockpiled soil exhibited a TPH concentration of 1,550 ppm.

In 1999, site investigations were conducted for the site. Site investigation results indicated that no chemicals associated with the site present an unacceptable risk to either human health or the environment. "No Further Action" was approved w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.

Facility 1697, Parcel 18(3). Facility 1697 contained one 2,000-gallon waste oil UST that was installed in 1982 and closed in place in 1994. During tank closure, approximately 7 feet of associated piping was removed. The UST was constructed of single-wall steel and no holes were observed in the tank. The tank was filled with concrete slurry. The UST was not replaced. Soil samples were collected for analysis. TPH concentrations of 3,300 and 4,200 ppm were found in samples collected from the piping trench. Samples collected from the sides of the UST were at or below detection limits.

In 1999, site investigations were conducted for the site. Site investigation results indicated that no chemicals associated with the site present an unacceptable risk to either human health or the environment. "No Further Action" was approved w/DD signed 07/16/01. ADEM concurrence letter dated 04/13/01.

Facilities 2109G and N, Parcel 21(7). Facilities 2109 G and N house a tank farm with four 10,000-gallon USTs. Two 10,000-gallon diesel and two 10,000-gallon gasoline USTs were installed at the facility in 1968 and replaced with four 10,000-gallon gasoline tanks in 1991. In 1989 one of the tanks failed a tank tightness test. Soil borings were installed around the tanks and soil samples were collected from borings for laboratory analysis. Analytical results indicated that total recoverable petroleum hydrocarbons (TRPH) at concentrations ranging from 20 to 980 ppm were detected.

A secondary investigation was completed in September 1991. Nine shallow and two deep monitoring wells were installed. Groundwater samples were collected from the wells. Analytical results indicated that benzene was detected at levels exceeding ADEM maximum contaminant level (MCL) in six wells, lead was found at detectable levels and methyl tertiary butyl ether (MTBE) was found in one deep well at low levels. A quarterly groundwater sampling program was conducted for 3 years for the site.

A site investigation to determine presence or absence of contamination is currently underway. Site investigation results indicated that past operations at the site have impacted subsurface soil and groundwater. One polynuclear aromatic hydrocarbon (PAH) compound (benzo(a)pyrene) exceeded its site-specific screening levels (SSSL) in subsurface soil at only one location. Benzene was identified in groundwater at concentrations that showed a general declining trend. Benzene concentrations were below its SSSL and MCL except in one sample. "No Further Action" was requested, Regulator concurrence is pending.

Facility 2109W, Parcel 22(7). Facility 2109W contained one 1,000-gallon waste oil UST that was installed at the facility in 1968 and replaced with a 2,500-gallon tank in 1994. During tank removal, the tank was observed to be in good condition. Soil samples were collected from the sidewalls of the tank pit and from the stockpiled soil. Analytical results indicated TPH concentrations of 60 ppm for the stockpiled soil. 10 cubic yards of contaminated soil was removed from the site and transported to the base landfill for thin spreading.

A site investigation to determine presence or absence of contamination is currently underway. Site investigation results indicated that past operations at the site have impacted subsurface soil and groundwater. One PAH compound (benzo(a)pyrene) exceeded its SSSL in subsurface soil at only one location. Benzene was identified in groundwater at concentrations that showed a general declining trend. Benzene concentrations were below its SSSL and MCL except in one sample. "No Further Action" was requested, Regulator concurrence is pending.

Facility 3138D, Parcel 25(7). Facility 3138D contained one 10,000-gallon diesel UST that was installed in 1987, upgraded in 1991 and removed in 2003. A site investigation to determine presence or absence of contamination is currently underway. Field investigation results indicated the following constituents exceeded SSSLs or ecological screening values (ESVs) in the below listed site media:

Surface and Depositional soil: metals, semivolatile organic compounds (SVOCs)

Subsurface soil: metals, SVOCs

Groundwater water: metals, volatile organic compounds (VOCs)

Based on the results of the site investigations, past operations have impacted the environment. However, the compounds detected in site media do not pose an unacceptable risk to human health and the environment. The benzene source in soil has been removed; therefore benzene concentrations in groundwater are expected to naturally attenuate. “No Further Action” was requested, Regulator concurrence is pending.

Facility 3138F, Parcel 212(7). Facility 3138F consisted of one 5,000-gallon heating oil UST that was installed in 1978 and was removed and replaced by a 3,000-gallon tank in 1996. During tank removal, the removed tank was observed to be in good condition and evidence of contamination was not observed. The replacement tank was removed in 2003. A site investigation to determine presence or absence of contamination is currently underway. Field investigation results indicated the following constituents exceeded SSSLs or ESVs in the below listed site media:

Surface and Depositional soil: metals, SVOCs

Subsurface soil: metals, SVOCs

Groundwater water: metals, VOCs

Based on the results of the site investigations, past operations have impacted the environment. However, the compounds detected in site media do not pose an unacceptable risk to human health and the environment. Because the benzene source in soil has been removed, benzene concentrations in groundwater are expected to naturally attenuate. “No Further Action” was requested, Regulator concurrence is pending.

Facility 3138W, Parcel 24(7). Facility 3138W consisted of one 2,000-gallon waste oil UST that was installed in 1978 and was removed and replaced by a 2,500-gallon tank in 1994. During tank removal, soil samples were collected from all sides and bottom of the excavation and in the piping trench. Samples collected from the sides of the tank pit were found to contain TPH at or below detection limits. TPH concentrations of up to 12,300 ppm were detected in samples collected from the piping trench. Two cubic yards of contaminated soil were excavated and used as topsoil fill material for the replacement tank. The replacement tank was removed in 2003.

A site investigation to determine presence or absence of contamination is currently underway. Field investigation results indicated the following constituents exceeded SSSLs or ESVs in the below listed site media:

Surface and Depositional soil: metals, SVOCs

Subsurface soil: metals, SVOCs

Groundwater water: metals, VOCs

Based on the results of the site investigations, past operations have impacted the environment. However, the compounds detected in site media do not pose an unacceptable risk to human health and the environment. Because the benzene source in soil has been removed, benzene concentrations in groundwater are expected to naturally attenuate. “No Further Action” was requested, Regulator concurrence is pending.

4.4 Polychlorinated Biphenyls (PCBs)

In 1996, three polychlorinated biphenyls (PCB) contaminated pole transformers located adjacent to Building 2109 were removed from service and properly disposed through Defense Reutilization and Marketing Organization. Based on a review of existing records and available information, there are no PCB contaminated transformers located on the Property and no evidence of releases from PCB equipment. Currently, some fluorescent light ballasts in the buildings may contain PCB in excess of 50 ppm, and would be subject to Toxic Substance Control Act (TSCA) requirements. The deed will contain the fluorescent light ballasts PCB warning and covenant provided in the EPP (Attachment 1).

4.5 Asbestos

Based on the 1998 Asbestos Containing Material (ACM) Survey Report (1998), several buildings on the Property contain friable and non-friable asbestos. Table 8 summarizes the asbestos survey results for buildings containing ACM on the Property. Buildings that were surveyed and were found to contain no ACM are summarized in Table 9. ACM survey reports are included in Attachment 2. The deed will contain the asbestos warning and covenant included in the EPP (Attachment 1).

In accordance with DoD policy (DoD 1994b), and where appropriate (typically for certain friable, accessible, and damaged asbestos that would pose a threat to human health at the time of transfer), asbestos abatement has been completed for most buildings within the Property.

The transferee will be responsible for the proper management, disposal and any necessary remediation of remaining ACM, in accordance with applicable laws and regulations upon completion of the transfer of the Property.

4.6 Lead-Based Paint (LBP)

All facilities within the Property that were built prior to 1978 are presumed to contain lead-based paint (LBP). Table 10 summarizes LBP survey and LBP risk assessment results conducted in 1995 and 2000. Attachment 3 contains the LBP risk assessment and survey report (1995 and 2000) for the buildings on the Property. The deed will contain the lead-based paint notice and covenant provided in the EPP (Attachment 1).

4.7 Radiological Materials

Activities requiring radioactive materials and instruments were conducted in Buildings 335 and 3192. Prototype source actuators were tested at Range 25 and an area at Iron Mountain was utilized as a radioactive material burial site.

Building 335, Parcel 66(7). Building 335 was built originally as a General Support Vehicle Maintenance Shop in 1941 and was last used by Alabama National Guard as a storage building. In November 1999, the building was surveyed as a Multi Agency Radiological Survey and Site Investigation Manual (MARSSIM) Class III area. Based on the survey results as documented in the Commodity Site Survey Report, dated March 2000, the Nuclear Regulatory Commission (NRC) determined that no further action is required and the building meets the criteria for unrestricted use as documented in NRC letter dated 27 July 2000.

Building 3192, Parcel 66Q. Built in 1961, Building 3192 was used as a radiological training classroom and “hot cell” until 1973. The hot cell is a concrete vault within the building with a shielded door. The hot cell was used primarily to prepare, maintain, and transfer multi-Curie Co-60 sources for the training exercises at Rideout Field on Pelham Range. Based upon Allied Technology Group, Remediation and Closeout Survey Report, dated 1996, and Center for Health Promotion and Preventive Medicine (CHPPM) Industrial Radiation Survey and Facility Closeout Verification Survey Report dated 1998 and NRC Inspection Reports Nos. 01-02861-04/97-01, 98-01, and 98-02, dated October 7, 1997, April 21, 1998, and May 22, 1998, respectively, the NRC released Building 3192 and Surrounding Fenced Area for unrestricted use as documented in NRC letter dated October 19, 1998. The State of Alabama Public Health clearance letters are dated 5/1/2000 and 5/9/2001.

Range 25, Parcel 83Q. Range 25 is an open area of land between the 300 and 400-yard line of the range that was reportedly used between February 19 to May 14, 1963 to test prototype source actuators. Five actuators were tested, each actuator utilizing a fifteen Curie encapsulated Co-60 source. Based upon information contained in the Allied Technology Group, Select Commodity Site Areas, Final Radiological Status Report, dated October 2000, no survey was required for Range 25. The NRC determined that no further action is required and the area was released for unrestricted reuse as documented in the NRC Inspection Report 01-02861-05/01-01, dated March 2001.

Iron Mountain, Parcel 68Q. The Iron Mountain area was utilized as a radioactive material burial site by the U. S. Army Chemical Corps School during the 1950s and was closed in 1959. Radioactive waste was reported to have been recovered and reburied at the radioactive material burial site located at Rideout Field, Pelham Range. In 1971, radioactive material and radioactive soil found at the site was packaged in 55-gallon drums and disposed of at an Atomic Energy Commission licensed disposal facility in Oak Ridge, Tennessee. In 1995, during the CHPPM industrial radiation survey, the area located approximately 200 meters down the northern slope of the Iron Mountain peak was found to contain evidence of past burial activities. Based upon the results of the survey performed by CHPPM, Industrial Radiation Study No. 27-MH-0987-RI-96, dated March 1995, and the results of the NRC inspection and confirmatory survey completed in October 1999, and documented in NRC Inspection Report No. 01-02861-05/99-01, dated March 1, 2000, the NRC concluded that the area meets the criteria for unrestricted use as described in Title 10, CFR 20.1402. Awaiting the State of Alabama Public Health clearance letter.

Copies of the Survey Reports and NRC Letters and Reports will be provided to the JPA.

4.8 Radon

Between 1989 and 1994, radon surveys were conducted for Buildings 3137, 3335, and 3337. Radon was not detected at or above the EPA residential action level of 4 picocuries per liter (pCi/L) in any of the buildings.

4.9 Munitions and Explosives of Concern (MEC) also known as Ordnance and Explosives (OE)

MEC, which distinguishes specific categories of military munitions that may pose unique explosives safety risks, means: (a) unexploded ordnance (UXO), as defined in 10 U.S.C. 2710 (e) (9); (b) discarded military munitions (DMM), as defined in 10 U.S.C. 2710 (e) (2); or (c) explosive munitions constituents (e.g., TNT, RDX) present in high enough concentrations to pose an explosive hazard.)The deed will contain the covenant and notices provided in the EPP (Attachment 1) and the Deed Notices (Attachment 2).

4.9.1 Conventional Munitions

Fort McClellan was divided into separate areas in order to expedite the EE/CA process. The subsequent discussions will address each of these areas separately.

M1.01 Parcel and M3 Miscellaneous Property Conventional Ordnance and Explosives

The M1.01 parcel and M3 Miscellaneous Property is on the western boundary of Fort McClellan in the vicinity of Summerall Gate Road (Figure 4). The area consists of approximately 97 acres and is divided into three segments: 1) property north of the proposed Summerall Gate Road Extension (22 acres); 2) property south of Summerall Gate Road Extension (42 acres) and; 3) M3 miscellaneous property south of the proposed Eastern Bypass right-of-way (33 acres). An EE/CA for the M1.01 parcel was completed in October 2001 by Foster Wheeler Environmental Corporation (FWENC). The EE/CA indicated the possible presence of MEC in the M1.01 parcel based on results of sampling and removal actions in areas adjacent to the M1.01 parcel. MEC items found in the adjacent areas included: White Phosphorus (WP) grenade, 2.36-inch practice rockets, 60 & 81 mm practice mortars, expended rifle grenades, practice hand grenades, and practice land mines. Because all MEC was expected to be found within one foot of the ground surface, a one-foot removal action was recommended. An Action Memorandum for this site was signed on 18 January 2002. Regulator concurrence is pending.

Between 25 February 2002 and 22 July 2002, FWENC conducted a removal of all MEC at this site to a depth of one foot below ground surface. The items recovered during this action included: one smoke fuze, one grenade fuze, one pyrotechnic igniter, one grenade burster, one WP grenade, one smoke pyrotechnic, one incendiary grenade, and one 60 mm high explosive (HE) mortar. Remaining items consisted of bursting caps, OE debris, and non-OE metallic scrap. A Statement of Clearance for the M1.01 Parcel and M3 Miscellaneous Property was signed on 17 April 2003 and states that the property “has been given careful

search and has been cleared of all dangerous and explosive ordnance reasonably possible to detect. The M1.01 Parcel and M3 Miscellaneous Property may be used for any purpose for which the land is suited” (Attachment 8).

Alpha Area

The Property showed multiple areas where munitions were used including firing points, impact or target areas, range safety fans, training areas, bivouac areas, smoke ranges, and the technical escort reaction area during the Archives Search conducted by the U. S. Army Corps of Engineers (USACE) St. Louis District and documented in the Archive Report (USACE, 1999 with final revision in September 2001). An EE/CA was performed to identify areas of ordnance presence and recommend appropriate response actions (Figure 4) and is currently under review by regulatory agencies. Fieldwork has been completed and some types of MEC and Ordnance Related Scrap (ORS) that have been discovered on the property include: 37 mm HE fragments, rifle grenade, 75 mm shrapnel round, 2.36-inch rocket practice and HE, 60 mm HE and practice, 81 mm HE fragments and practice, 57 mm fragments, slap flare, 3.8-inch shrapnel projectile, 40 mm fragment, LAW fragment, 4.2-inch WP mortar debris, 4 inch WP Stokes mortar, Livens FM smoke projector, 3 inch Stokes mortar, practice grenade, smoke grenade, practice anti-tank mines, illumination flare, smoke pots, 3.5-inch rockets, and illumination signals and smoke signals. Evidence of small arms was also discovered. An EE/CA and an Action Memorandum that recommends appropriate response actions for this property will be completed.

Bravo Area

The Property showed multiple MEC uses including firing points, impact or target areas, range safety fans, training areas, bivouac areas, weapons demo range, rifle ranges, and a hand grenade range during the Archives Search conducted by the USACE St. Louis District and documented in the Archive Report (USACE, 1999 with final revision in September 2001). An EE/CA was performed to identify areas of ordnance presence and recommend appropriate response actions (Figure 4) and is currently under review. Fieldwork has been completed and some types of MEC and ORS that have been discovered on the property include: 37 mm HE, target practice tracers (TPTs), and armor-piercing capped (APCs), rifle grenade, 75 mm shrapnel round, 2.36-inch rocket practice and HE, 60 mm HE, practice, and WP, 81 mm HE, 155 mm shrapnel projectile, slap flare, 3.8-inch shrapnel projectile, 40 mm grenades, 66 mm LAW rocket, 35 mm subcaliber practice rocket, 3 inch Stokes practice mortars, practice hand grenades, smoke grenades, practice anti-tank and anti-personnel mines, rifle grenade signal illumination and smoke, 3.5-inch practice rockets, and illumination signals and smoke signals. Evidence of small arms was also discovered. An EE/CA and an Action

Memorandum that recommends appropriate response actions for this property will be completed.

4.9.2. Chemical Warfare Materiel (CWM)

M1.01 Parcel and M3 Miscellaneous Property CWM Areas

During the CWM EE/CA, several areas within or adjacent to the M1.01 area and M3 Miscellaneous Property were investigated to evaluate potential contamination from CWM related activities in the past. The CWM EE/CA was completed in June 2002. No residual chemical agent or agent degradation products were detected in the soils at any of the sites investigated. The signed Action Memorandum recommended No Further Action for these sites with regards to CWM.

Alpha Area CWM Areas

During the CWM EE/CA, several areas within the Alpha area were investigated to evaluate potential contamination from CWM related activities in the past. The CWM EE/CA was completed in June 2002. No residual chemical agent or agent degradation products were detected in the soils at any of the sites investigated. The signed Action Memorandum recommended No Further Action for these sites with regards to CWM.

However, one site, T-38, was used for decontamination training. Suspected CWM-related items that were encountered during intrusive operations included 4.2-inch mortars, one 75 mm empty casing, glass vials, and other glassware, and 55-gal drums. All items were determined to be empty, inert, and were disposed of as 3X scrap. According to Army policy, DA PAM 385-61, 3X scrap is defined as “an item that has been surface decontaminated by locally approved procedures, bagged, or contained in an agent-tight barrier, of sufficient volume to permit sample air to be withdrawn without being diluted with incoming air, and/or appropriate tests/monitoring have verified that concentrations above 0.0001 mg/m³ for agent sarin-isopropyl methylphosphonofluoridate (GB), 0.00001 mg/m³ for agent O-ethyl-S(2-diisopropylaminoethyl)methylphosphonothiolate (VX), 0.003 mg/m³ for mustard (H) or lewisite (L), or 0.00003 mg/m³ for agent Pinacolyl methyl phosphonofluoridate (GD) (unmasked worker Airborne Exposure Limit (AEL) values for other covered chemicals) do not exist.” None of the items found were explosively configured, nor were they found to contain chemical agents. The selected alternative for this area is No Further Action for CWM. However, additional 3X scrap may exist at the site. The remaining 3X scrap will be addressed under follow-up munitions or hazardous waste response actions. The material will be excavated, confirmed (w/minicams), and transported to an incinerator and thermally treated. The anticipated start to completion dates are 17 November to 31 December 2003.

Bravo Area CWM Areas

During the CWM EE/CA, several areas within or adjacent to the Bravo area were investigated to evaluate potential contamination from CWM related activities in the past. The CWM EE/CA was completed in June 2002. No residual chemical agent or agent degradation products were detected in the soils at any of the sites investigated. The signed Action Memorandum recommended No Further Action for these sites with regards to CWM.

4.10 Groundwater Monitoring Wells

The Property proposed for transfer contains 394 monitoring wells as summarized in Table 11 and shown on Figure 5. The deed will include the groundwater monitoring wells covenant and notice provided in the EPP (Attachment 1) and the Deed Notices (Attachment 2).

4.11 Landfills/Fill Areas.

The Property proposed for transfer contains Landfill/Fill Areas; Landfill No.1, Parcel 78(6), Landfill No. 2, Parcel 79(6), Landfill No. 3, Parcel 80(6), Landfill No. 4, Parcel 81(5) and Industrial Landfill, Parcel 175(5), Former Post Garbage Dump, Parcel 126(7), Fill Area East of Reilly Air Field, Parcel 227(7), Fill Area NW of Reilly Air Field, Parcel 229(7), Fill Area North of Landfill No. 2, Parcel 230(7), and Fill Area at Range 30, Parcel 231(7).

Landfill No. 1, Parcel 78(6). Landfill No. 1 is located in western portion of the Main Post. The landfill is a former post sanitary landfill that operated from 1945 to 1947. Site investigations, trenching and boring activities conducted at the site has estimated the landfill to cover an area of approximately 6.3 acres with an average depth of 11.5 feet below ground surface. A Landfill/Fill Area EE/CA is currently underway for the site. Within the EE/CA, a screening level ecological risk assessment (SLERA) and a streamlined risk assessment (SRA) were performed. The EE/CA investigation results indicated that metals, pesticides, and SVOCs in surface soil and metals and pesticides in sediments exceeded ESVs. The SRA and SLERA conducted for the site concluded that the site presents no unacceptable human health or ecological risks under CERCLA. The Draft Final Landfill/Fill Area Report was submitted in March 2002 for a regulatory and public comment period that ended in August 2002. Finalization of the document is pending resolution of the comments. The JPA is responsible for remediation/remedy in accordance with the ESCA.

Landfill No. 2, Parcel 79(6). Landfill No. 2 is located in the central portion of the Main Post covering an area of approximately 5.6 acres. Although the dates of operation for the landfill are not known, an incinerator built northeast of the location in 1927 suggests that Landfill No. 2 may have been in operation at that time. Reportedly, the landfill was used to dispose of construction debris. Aerial photographs dated 1944, 1954, 1957, 1961, and 1969 indicate that portions of the area were cleared for possible trench and fill operations. Landfill No. 2 operated as the Main Post sanitary landfill following closure of Landfill No. 1 in 1947 and was active for an undetermined period. A Landfill/Fill Area EE/CA is currently underway for the site. Within the EE/CA, a SLERA and a SRA were performed. The EE/CA investigation results indicated that metals and SVOCs exceeded ESVs in surface soil. The SRA and SLERA concluded that metals and SVOCs in surface soil posed unacceptable risks to a potential resident and posed potential risks for ecological receptors. The Draft Final Landfill/Fill Area Report was submitted in March 2002 for a regulatory and public comment period that ended in August 2002. Finalization of the document is pending resolution of the comments. The JPA is responsible for remediation/remedy in accordance with the ESCA.

Landfill No. 3, Parcel 80(6). Landfill No. 3 is located in the northwestern corner of the Main Post. The landfill received municipal waste from the base. The landfill reportedly operated from about 1946 to 1967. The area is currently covered with thick vegetation, including trees. A Landfill/Fill Area EE/CA is currently underway for the site. Within the EE/CA, a SLERA and a SRA were performed. The EE/CA investigation results indicated the following constituents exceeded ESVs in the below listed site media:

Surface soil: metals, pesticides, SVOCs

Surface water: metals

Sediment: metals, SVOCs, pesticides

The SLERA concluded that the site does not present an unacceptable risk to the ecological receptor. The SRA concluded that exposure to surface soil (metals) and groundwater (VOCs) present unacceptable risks to a potential resident but presents no unacceptable human health risk to the recreational site user. A remedial investigation to characterize the nature and extent of contamination in groundwater is currently underway. The Draft Final Landfill/Fill Area Report was submitted in March 2002 for a regulatory and public comment period that ended in August 2002. Finalization

of the document is pending resolution of the comments. The JPA is responsible for remediation/remedy in accordance with the ESCA.

Landfill No. 4 and the Industrial Landfill, Parcels 81(5) and 175(5). Landfill No. 4 is located at the northern end of the Main Post and covers a total of 43.3 acres. The Industrial Landfill is located on the northeastern corner of Landfill No. 4 on approximately 15.9 acres adjacent to Landfill No.4. Landfill No.4 was opened in 1967 as the Main Post sanitary landfill and operated until 1994. The landfill was unlined, was not equipped with a leachate collection system, and used trench and fill as the method of disposal. The landfill reportedly received all of the Main Post household garbage and construction and demolition debris. Landfill No. 4 was closed in April 1994 because of changes in the permit requirements governing sanitary landfills. The Industrial Landfill remains open and permitted for use through November 2005.

A Landfill/Fill Area EE/CA is currently underway for the site. Within the EE/CA, a SLERA and a SRA were performed. The EE/CA investigation results indicated that metals and VOCs in groundwater exceeded residential human health SSSLs and ESVs. The SRA and SLERA concluded that the site presents no unacceptable human health or ecological risks under CERCLA. The Draft Final Landfill/Fill Area Report was submitted in March 2002 for a regulatory and public comment period that ended in August 2002. Finalization of the document is pending resolution of the comments. The JPA is responsible for remediation/remedy in accordance with the ESCA.

Fill Area East of Reilly Airfield and Former Post Garbage Dump, Parcels 227(7) and 126(7). The Fill Area East of Reilly Airfield, Parcel 227(7), is located in the northern portion of the Main Post, north of the eastern end of Reilly Airfield. The Former Post Garbage Dump, Parcel 126(7), occupies a portion of the northern slope of the Fill Area East of Reilly Airfield, adjacent to and within a wetland area.

The Fill Area East of Reilly Airfield was identified from 1949 and 1961 aerial photographs. Dates of use are unknown for the Former Post Garbage Dump. The EBS CERFA Parcel mapped as the Fill Area East of Reilly Airfield, Parcel 227(7) comprises of approximately 22 acres; however, the fill areas identified from the results of subsequent geophysical surveys cover approximately 4.5 acres within the Fill Area East of Reilly Airfield and Former Post Garbage Dump, Parcels 227(7) and

126(7). The Former Post Garbage Dump, Parcel 126(7), covers approximately 2 acres and consists of a steep north-facing slope that borders a wetland. The crest, slope and slope toe all face north to north-northwest. The wetland area extends across the toe of the slope toward Reilly Lake. Debris can be observed on the 25-foot exposed slope at the Former Post Garbage Dump, Parcel 126(7).

A Landfill/Fill Area EE/CA is currently underway for the sites. Within the EE/CA, a SLERA and a SRA were performed. The EE/CA investigation results indicated the following constituents exceeded ESVs in the below listed site media:

Surface soil: metals, pesticides

Surface water: metals, SVOCs

Sediment: metals, VOCs

The SLERA concluded that surface soils and surface water pose potential risks to ecological receptors. The SRA concluded that the sites present no unacceptable human health risks under CERCLA. The Draft Final Landfill/Fill Area Report was submitted in March 2002 for a regulatory and public comment period that ended in August 2002. Finalization of the document is pending resolution of the comments. The JPA is responsible for remediation/remedy in accordance with the ESCA.

Fill Area Northwest of Reilly Airfield, Parcel 229(7). Fill Area Northwest of Reilly Airfield is located in the northwestern corner of the Main Post, adjacent to Reilly Airfield and west-southwest of Reilly Lake. Fill Area Northwest of Reilly Airfield covers approximately 5.87 acres and was identified as a potential disposal area in the environmental photographic interpretation center (EPIC) report from the aerial photo composite dated 1954. Linear north-south trending mounds are visible at the northern margin of a cleared area (ground scar). Mounded material may be present in the cleared area. It is unclear precisely which feature or features were interpreted by EPIC as being the “Fill Area”; therefore, the site encompasses the entire cleared area, including the linear mound. A Landfill/Fill Area EE/CA is currently underway for the site. Within the EE/CA, a SLERA and a SRA were performed. The EE/CA investigation results indicated the following constituents exceeded SSSLs or ESVs in the below listed site media:

Surface soil: metals, VOCs

Surface water: metals

Groundwater : VOCs

Sediment: metals

The SRA concluded that naphthalene in groundwater developed as a potable source poses a non-cancer risk to humans. The SLERA concluded that metals in surface water pose potential risks to ecological receptors. The Draft Final Landfill/Fill Area Report was submitted in March 2002 for a regulatory and public comment period that ended in August 2002. Finalization of the document is pending resolution of the comments. The JPA is responsible for remediation/remedy in accordance with the ESCA.

Fill Area North of Landfill No. 2, Parcel 230(7). Fill Area North of Landfill No. 2 is located in the north-central part of the Main Post, northeast of former Landfill No. 2 and north of the Ammunition Supply Point. The Fill Area North of Landfill No. 2 was identified from a ground scar on the 1961 aerial photograph composite. The fill area contains several landfill pits ranging from low to moderate concentrations of buried metal and numerous isolated buried metallic objects/debris within site boundaries. Some materials appear to have been dumped down the slopes to the east, toward Cave Creek from the unimproved road. Fill Area North of Landfill No. 2 is overgrown with vegetation and has large trees growing between the base of the slope on the eastern side of the site and Cave Creek. The total size of the fill area is approximately 2.4 acres.

A Landfill/Fill Area EE/CA is currently underway for the site. Within the EE/CA, a SLERA and a SRA were performed. The EE/CA investigation results indicated the following constituents exceeded ESVs in the below listed site media:

Surface soil: metals, pesticides, VOCs

Surface water: metals, SVOCs

Sediment: metals

The SLERA concluded that metals, pesticides and SVOCs in surface soils, surface water and sediments pose potential risks to ecological receptors. The SRA concluded that the site presents no unacceptable human health risks under CERCLA. The Draft Final Landfill/Fill Area Report was submitted in March 2002 for a regulatory and public comment period that ended in August 2002. Finalization of the document is pending resolution of the comments. The JPA is responsible for remediation/remedy in accordance with the ESCA.

Fill Area at Range 30, Parcel 231(7). The Fill Area at Range 30 is located in the north-central portion of the Main Post, east-southeast of Reilly Airfield. The size of

the fill area was originally estimated to be about 6 acres, current estimates of the actual fill area are approximately 3.9 acres based on trenching, field observation and sampling efforts. The dates of operation for the Fill Area at Range 30 could not be determined; however, the area is visible on aerial photographs from 1949, 1954, 1961, 1972, and 1982. There is no available documentation of fill areas or disposal practices at the site. Photographic signatures, resembling large linear north-south trending mounds, are present in the central portion of the site. Smaller mounds are present at other locations within the parcel. Several piles of construction debris are present along both sides of an unimproved road that traverses the southern portion of the site. Because of the dense vegetation, it could not be determined whether these piles correspond with the mounds identified in the EPIC report photographs. A Landfill/Fill Area EE/CA is currently underway for the site. Within the EE/CA, a SLERA and a SRA were performed. The EE/CA investigation results indicated the following constituents exceeded ESVs in the below listed site media:

Surface soil: metals, pesticides, SVOCs

Surface water: metals

The SRA and SLERA concluded that the site presents no unacceptable human health or ecological risks under CERCLA. The Draft Final Landfill/Fill Area Report was submitted in March 2002 for a regulatory and public comment period that ended in August 2002. Finalization of the document is pending resolution of the comments. The JPA is responsible for remediation/remedy in accordance with the ESCA.

Fill Area East of Reilly Airfield and Former Post Garbage Dump, Parcels 227(7) and 126(7) and Fill Area at Range 30, Parcel 231(7) are included in an ongoing OE EE/CA for the Alpha Area.

4.12 Other Environmental Conditions

The following other environmental conditions exist on the property:

4.12.1 Special Interest Natural Areas (SINAs).

Special Interest Natural Areas (SINAs) are locations where the habitat fosters one or more rare, threatened or endangered species. The Property contains a portion of 2 of the 11 SINAs on Main Post at FMC; Mountain Longleaf Pine (MLP) Community Complex and South Branch Cain Creek. Figure 6 shows the sensitive habitats. Because the species within SINAs are sensitive to environmental degradation, the areas will require management practices that promote the continued well being of the ecosystems.

Mountain Longleaf Pine (MLP) Communities. The MLP ecosystem occurs throughout the steeper slopes and higher elevations occupying the largest portion of the Property (Figure 6). Historically, the red-cockaded woodpecker (RCW) a federally listed endangered species, inhabited portions of this forest type. Efforts should be taken to insure the continuity of management requirements as specified in the Draft Endangered Species Management Plan for Fort McClellan (Garland 1996).

4.12.2 Endangered Species.

The Property proposed for transfer contains an area that has been identified as suitable for gray bat foraging habitat (3D/International, 1999 – Attachment 4). The sensitive habitat map, Figure 6 shows the moderate quality foraging habitat on the Property. In addition, historically the RCW was known to inhabit portions of the MLP at FMC; however, RCWs have not been sighted at FMC since the late 1960s.

Historic Population: Potential Red-cockaded Woodpecker (RCW). The last remaining active RCW cluster in FMC was recorded in 1968. Although the RCW no longer inhabits FMC, active clusters are known to exist in the Talladega National Forest approximately 5 to 7 miles to the East. Because of the proximity to the Talladega National Forest and the presence of mature longleaf pine to which the RCW is endemic, there is potential for the birds to be reintroduced within the Property.

4.12.3 Wetlands.

Undeveloped areas within the Property contain jurisdictional wetlands (Figure 7). Permits must be obtained from the USACE and ADEM prior to undertaking any filling, excavation, building, land clearing or any other activity which will result in a discharge to property within the boundary of any jurisdictional wetland.

In addition to the SINAs, wetlands, and threatened and endangered species discussed above, other sensitive habitats may exist on-site that have not been specifically delineated. These sensitive habitats may include isolated wetlands associated with the many seeps and drainage features on-site and the numerous ephemeral streams that drain the site during periods of significant precipitation. These sensitive habitats may require management practices that afford protection from degradation

4.12.4 Archaeological Properties.

The proposed Property for transfer contains eight archaeological sites, 01CA0114, 01CA0129, 01CA0156, 01CA0157, 01CA0588, 01CA0598, 01CA0618, and 01CA0619

(Figure 8). The sites were determined to possess the necessary attributes to make them eligible for inclusion in the National Register of Historic Places as documented in An Archeological Pedestrian Phase I Survey of Fort McClellan, Calhoun County, Alabama (2000) and Archaeological Phase II Testing at Twelve Sites on the Fort McClellan Military Reservation (2000). The deed will include the preservation covenant provided in the EPP (Attachment 1).

5.0 INTENDED REUSE

The proposal to transfer this property has been adequately assessed and evaluated for (a) the presence of hazardous substances and contamination on the property, (b) environmental impacts anticipated from the intended use of the property, (c) the presence of ordnance and explosives on the property, and (d) the adequacy of use restrictions and notifications to ensure that it is protective of human health and the environment.

The future uses of this property do not present a current or future risk to human health or the environment, subject to inclusion and compliance with the appropriate notices and disclosures as addressed in the EPPs (Attachment 1) and Deed Notices (Attachment 2).

6.0 ASSOCIATED RISKS

To evaluate whether detected constituents at each site present an unacceptable risk to human health and the environment, the residual chemicals in environmental media were compared to human health site-specific screening levels (SSSL) and ecological screening values (ESV) for FMC. The SSSLs and ESVs were developed for human health and ecological risk evaluations as part of the ongoing site investigations being performed under BRAC Environmental Restoration Program at FMC.

The SSSLs are medium- and receptor-specific, risk-based screening concentrations that are used to quickly and efficiently screen FMC sites for potential cancer risk and noncancer hazards from residual chemicals in environmental media. The SSSLs address all significant exposure pathways and are sufficiently site-specific with regard to exposure assumptions that are used to estimate risk with as much precision as a typical baseline risk assessment. They reflect all the Superfund protocols, documentation, and assumptions specified by EPA guidance.

The ESVs represent the most conservative values available from various literature sources and have been selected to be protective of the most sensitive ecological assessment endpoints. The ESVs are based on no-observed-adverse-effect-levels (NOAEL), when

available. If NOAEL-based ESV was not available for a certain constituent, then the most health-protective value available from the scientific literature was used. The exposure assumption and SSSL and ESV methodologies are described in detail in the *Draft Revision 2 Installation-Wide Work Plan* (IT 2002e) and the *Final Human Health and Ecological Screening Values and Polynuclear Aromatic Hydrocarbon (PAH) Background Summary Report* (IT 2000a). Additionally, metals concentrations exceeding SSSLs and ESVs were compared to media specific background screening values.

Three levels of human health risk assessment were performed, depending on the nature of the investigation. The most basic is a simple comparison of ambient concentration of a chemical with its SSSL. This comparison was used at the SI stage to provide a qualitative overview of the relationship between contamination and risk. The second level human health risk assessment is called a preliminary risk assessment (PRA). It frequently was used following the SI. The PRA differs from the streamlined risk assessment (SRA) primarily in that the maximum detected concentration was used instead of a conservative estimate of average, at least for the first iteration. The PRA tended to be somewhat more conservative than the SRA. The third level, the SRA, is equivalent to a full-blown CERCLA baseline risk assessment, and was used at the RI or EE/CA stage.

Sites that require additional scrutiny have been assessed via Screening Level Ecological Risk Assessment (SLERA). A SLERA consists of a comparison of residual chemicals in environmental media to ESV, as was done in a preliminary ecological risk assessment (PERA), and also incorporates additional information regarding habitat, potential receptors, toxicity of detected chemicals, and fate and transport of detected chemicals. This additional information is used in conjunction with the comparison to ESVs to determine whether the potential for ecological risks exists or not.

If the SLERA indicates the potential for ecological risks at a site, then a baseline ecological risk assessment (BERA) is conducted. A BERA includes site-specific ecological sampling and analysis, toxicity testing, ecological monitoring, and other assessment techniques to assess ecological risks on a site-specific basis.

A summary of the results of the risk assessment for each parcel is presented in Tables 12 and 13.

7.0 ADJACENT PROPERTY CONDITIONS

The adjacent property conditions are as follows:

Charlie Area

The property showed multiple OE uses including firing points, impact or target areas, range safety fans, training areas, and bivouac areas during the Archives Search conducted by the USACE St. Louis District and documented in the ASR (USACE, 1999 with final revision in September 2001). An Engineering/Cost Analysis (EE/CA) is currently being performed to identify areas of ordnance presence and recommend appropriate response actions. Fieldwork has been completed and some types of OE and Ordnance Related Scrap (ORS) that have been discovered on the property include: 37 mm HE, smoke rifle grenade, 75 mm shrapnel round, 2.36-inch rocket practice and HE, 60 mm HE, 81 mm HE and practice, 57 mm APT, slap flare, 3.8-inch projectile, 40 mm practice MK II, 4.2-inch WP mortar, 155 mm shrapnel projectile, practice grenade, parachute flare, 105 mm projectile, illumination flare, HC smoke pots, and parts of 3.5-inch rockets. Evidence of small arms was also discovered. An EE/CA and an Action Memorandum that recommends appropriate response actions for this property will be completed.

OE and ORS were found on adjacent land that has been transferred to the U. S. Fish and Wildlife Service, therefore, there is a potential for OE to be present in the vicinity of the areas of the granted property, which may pose an explosive safety hazard. The U. S. Army intends to perform response actions on surrounding property in the Charlie Area. These actions may have an impact on the property through use of exclusion zones that intersect the property. Exclusion zones are zones established to restrict activities in a specific geographic area surrounding objects being excavated or during demolition using explosives. A notice of potential for the presence of ordnance and explosives that will provide for use of exclusion zones for any potential OE removals on the adjacent property is described in the EPPs (Attachment 1).

US Fish and Wildlife Service (FWS), Mountain Longleaf National Wildlife Refuge. The U.S. Fish and Wildlife Service (FWS) Mountain Longleaf National Wildlife Refuge is located to the east of the proposed property for transfer. Environmental conditions of the wildlife refuge are documented in the *Final ECOP US Fish and Wildlife Service Mountain Longleaf National Wildlife Refuge* dated May 2003.

The Department of Justice (DOJ). The DOJ is also located to the northeast of the Property. Details of the condition of the DOJ property are documented in the *Final ECOP DOJ Center of Domestic Preparedness* dated January 2001.

The Eastern Bypass. The Eastern Bypass transects the southwestern portion of the Property. Details of the condition of the Eastern Bypass are documented in the *Final FOST Eastern Bypass Tract No. 1* dated March 2001 and *Final FOST Eastern Bypass Tract No. 2 and the Western Portion of Eastern Bypass Tract No. 3* dated April 2003.

SUPERFOST No. 1 and SUPERFOST No. 2 Properties. SUPERFOST No. 1 and SUPERFOST No. 2 properties are located to the west and south of the proposed property for transfer. Conditions of these areas are recorded in the *Final FOST SUPERFOST No. 1* and *Final FOST SUPERFOST No. 2* documents dated January 2002 and October 2002, respectively.

8.0 REGULATORY/PUBLIC COORDINATION

The U.S. EPA Region 4, ADEM, and the public were notified of the initiation of the FOSET. The public comment period for this document was May 30 – June 30, 2003. Comments received during the FOSET development were reviewed and incorporated if appropriate. All responses to regulatory comments and unresolved comments are included in Attachment 9.

9.0 NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE AND CONSISTENCY WITH LOCAL REUSE PLAN

The environmental impacts associated with the proposed transfer of the property have been analyzed in accordance with the National Environmental Policy Act. The results of this analysis have been documented in the Disposal and Reuse Environmental Impact Statement (EIS) (1998). Any encumbrances or condition identified in such analysis as necessary to protect human health or the environment have been incorporated into the FOSET. In addition, the proposed transfer is consistent with the intended reuse of the property as set forth in the Comprehensive Reuse Plan adopted by the JPA. Change of reuse in any significant manner, may require the supplementation of the EIS. Any further NEPA analysis shall be solely the responsibility of the JPA.

10.0 ENVIRONMENTAL PROTECTION PROVISIONS (EPP)

On the basis of the above results from the EBS and other environmental studies and in consideration of the intended use of the property, certain terms and conditions are required for the proposed transfer. These terms and conditions are set forth in the attached EPP (Attachment 1) and Deed Notices (Attachment 2) will be incorporated in the deed.

11.0 LAND USE CONTROL ASSURANCE PLAN (LUCAP)

A Land Use Control Assurance Plan (LUCAP-Attachment 4) was entered into between the U.S. Department of the Army, EPA Region 4, ADEM, and JPA on December 12, 2000. The LUCAP recognizes the requirement, and/or need, to impose Interim Land Use Control Implementation Plans (LUCIPs-Attachment 3) or final LUCIPs as a final remedy to ensure protection of human health and the environment.

A copy of this LUCAP is included as Attachment 4. As an Appendix to the LUCAP, Interim LUCIPs have been developed to cover the area. The Interim LUCIPs and/or portions thereof will remain in effect until final remedy selection occurs, and the need for interim LUCIPs terminates, and/or final LUCIPs are put into effect. The LUCIPs may be implemented through the utilization of Deed Notices under the Cleanup Agreement between the JPA and ADEM referenced in Section 12.0 below. The LUCIPs contain interim restrictions for groundwater use, no dig restrictions, UXO, incomplete property characterization, and residential use restrictions. The provisions of the LUCIPs are included in Attachment 3.

The Army intends to transfer responsibility for environmental remediation of the Property in phases. Phase 1 will include Property covered by the ESCA. Responsibility for monitoring and enforcing any Land Use Controls (LUCs) in the Phase 1 Property lies with the JPA. Responsibility for implementing, monitoring, and enforcing the LUCs in all other Properties (covered by this FOSET) lies with the Army.

12.0 REQUIREMENTS FOR REMEDIAL, CORRECTIVE AND RESPONSE ACTIONS, OPERATIONS, AND LAND USE CONTROLS

The U. S. Army and the JPA will enter into an ESCA under which the JPA will assume remedial and corrective action responsibilities. In executing the ESCA, the JPA will assume responsibility for achieving regulatory closure of the sites located on the Early Transfer Property, in accordance with all applicable local, state, and federal regulations. The JPA will be required to implement interim LUCs and complete regulatory closure for these sites in accordance with the provisions of a Cleanup Agreement between the JPA and ADEM.

All necessary response actions will be taken at the property on a schedule that will be contained within the Cleanup Agreement. This schedule will be approved by ADEM as part of the execution of the Cleanup Agreement. The U. S. Army will review the schedule and determine that it meets the requirements of CERCLA 120 (h)(3)(C)(ii)(III). This schedule will not substantially delay any necessary response actions at the property.

The schedule will be changed only as circumstances warrant, as provided by the ESCA, the Cleanup Agreement, and the requirements of ADEM. Changes to the schedule may occur as a result of such things as additional sampling requirements that have not been identified; discovery of additional contamination on the property; unanticipated conditions during field efforts; and additional review and revision of documentation such as reports, work plans, designs, etc.

13.0 RESPONSE ACTION ASSURANCES

As part of the early transfer, CERCLA §120(h)(3)(C)(ii) requires that the deed or other agreement shall contain the following assurances:

1. Provide for any necessary covenants/restrictions on the use of the property to ensure the protection of human health and the environment;
2. Provide that there will be covenants/restrictions on use as necessary to ensure that required investigations, response actions, and oversight activities will not be disrupted;
3. Provide that all necessary response actions will be taken, and identify the schedules for investigation and completion of all necessary response actions, as approved by the appropriate regulatory agency;
4. Provide that the federal agency responsible for the property subject to transfer will submit a budget request to the Director of the Office of Management and Budget that adequately addresses schedules for the investigation and completion of all necessary response actions, subject to congressional authorizations and appropriations.

14.0 RESTORATION SCHEDULE

In accordance with the covenant deferral authority requirement of CERCLA 120(h)(3)(C)(ii)(III) that this deferral action provide all necessary response action to be taken and identify the schedule for investigation and completion of all necessary response action and not to substantially delay any necessary response action at the property the following remediation schedule is included. The JPA has developed the restoration schedule for JPA's completion of corrective, remedial and response actions in the Cleanup Agreement. Note that changes to the schedules may occur as a result of identification of additional sampling requirements; discovery of additional contamination on the property; unanticipated conditions during field work efforts; additional review and revisions of documentation such as reports, work plan, and designs.

CERFA PARCEL#	DESCRIPTION	CURRENT STATUS/PHASE a/o Sep 2003	RIP/RC DATE
081(5)	Landfill #4	Draft Final Landfill EE/CA Report submitted 03/13/02.	Dec-2004
180(7)	Former Detection & ID Area	RI ongoing.	Jan-2008
181(7)	Training Area T-4, Former Biological Simulant Test Area	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
182(7)	Training Area T-5, Former Toxic Hazards Detection/Decontamination	RI ongoing.	Jan-2008
511(7)	Blacktop Training Area	RI ongoing.	Jan-2008
512(7)	Fenced Yard in Blacktop Area	RI ongoing.	Jan-2008
513(7)	Dog Training Area	RI ongoing.	Jan-2008
514(7)	Old Burn Pit	RI ongoing.	Jan-2008
516(7)	Dog Kennel Area	RI ongoing.	Jan-2008
183(6)	Training Area T-6, Former Agent Decon Training	RI ongoing.	TBD
510(7)	Cane Creek Training Area	Requires RI. Part of Parcel 183(6) investigation.	TBD
186(6)	Training Area T-38, Former Tech Escort Reaction Area	RI ongoing.	TBD
112Q	Former Machine Gun Range	RI ongoing.	Jan-2008
213Q	Former Bandholtz Machine Gun qualifying range. Main Post.	RI ongoing.	Jan-2008
214Q	Former Bandholtz field firing range. Main Post.	RI ongoing.	Jan-2008
188(7)	Old Toxic Training Area	NFA requested. Final SI submitted 03/12/03.	Nov-2003
078(6)	Landfill #1	Draft Final Landfill EE/CA Report submitted 03/13/02.	Dec-2004
079(6)	Landfill #2	Draft Final Landfill EE/CA Report submitted 03/13/02.	Dec-2005
080(6)	Landfill #3	Draft Final Landfill EE/CA Report submitted 03/13/02.	Dec-2007
080(6)	Landfill #3 (Groundwater)	RI ongoing.	Dec-2008
068Q	Iron Mountain	No DD required. Draft Airborne Radiological Survey submitted 10/31/02. Awaiting State of Alabama Public Health clearance letter.	Nov-2003
175(5)	Industrial Landfill	Draft Final Landfill EE/CA Report submitted 03/13/02.	
155(7)	Ground Scar w/pit, N. of Landfill #3	NFA requested. Final SI submitted 11/14/01.	Nov-2003
093(7)	Former Decon Complex - Chem Laundry, Area 1200 Motor Pool	NFA requested. Draft SI submitted 07/21/03.	Dec-2003

140(7)	Former Gas Station @ Area 1200 Motor Pool, Bldg 1294	NFA requested. UST Closure Report submitted 11/13/01.	Dec-2003
094(7)	Motor Pool Area 1500 and Chemical Laundry	Draft RI submitted 05/03/02. Draft FS submitted 02/04/03.	Dec-2005
132(7)	Former Gas Station, Bldg 1594, Motor Pool Area 1500. Bldg removed.	NFA requested. UST Closure Report submitted 11/13/01. Parcel located within Parcel 94(7) for which Draft RI was submitted 05/03/02, and Draft FS was submitted 05/03/02.	Nov-2003
133(7)	Former Gas Station @ Area 14, Bldg 1494, at old Chem Laundry. Bldg removed.	NFA requested. UST Closure Report submitted 11/13/01. Parcel located within Parcel 94(7) for which Draft RI was submitted 05/03/02, and Draft FS was submitted 05/03/02.	Nov-2003
134(7)	Former Gas Station @ Area 15, Bldg 1594A. Bldg removed.	NFA requested. UST Closure Report submitted 11/13/01. Parcel located within Parcel 94(7) for which Draft RI was submitted 05/03/02, and Draft FS was submitted 05/03/02.	Nov-2003
126(7)	Former Post Garbage Dump (N. of Reilly Air Field)	Draft Final Landfill EE/CA Report submitted 03/13/02.	Dec-2005
227(7)	Fill Area East of Reilly Airfield	Draft Final Landfill EE/CA Report submitted 03/13/02.	Dec-2005
024(7)	UST @ Bldg 3138 in Motor Pool Area 3100 (near Poly Inst)	NFA requested. Draft SI submitted 04/11/03.	Feb-2004
025(7)	UST @ Bldg 3138 in Motor Pool Area 3100 (near Poly Inst)	NFA requested. Draft SI submitted 04/11/03.	Feb-2004
073(7)	Washrack, Bldg 3142, Motor Pool Area 3100 (near Poly Inst)	NFA requested. Draft SI submitted 04/11/03.	Feb-2004
146(7)	Motor Pool Area 3100 (near Poly Inst)	NFA requested. Draft SI submitted 04/11/03.	Feb-2004
212(7)	UST @ Bldg 3138, Motor Pool Area 3100 (near Poly Inst)	NFA requested. Draft SI submitted 04/11/03.	Feb-2004
229(7)	Fill Area NW of Reilly Airfield	Draft Final Landfill EE/CA Report submitted 03/13/02.	Dec-2005
066(7)	Sm Weapons Repair Shop - Bldg 335	Draft RI submitted 05/17/02. Draft FS submitted 11/04/02.	Dec-2005
127(7)	Soldier's Chapel, Bldg. 1740	NFA requested. Draft Final SI submitted 08/08/02.	Nov-2003
232Q-X	Area 45/M2	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
231(7)	Probable Fill Area at Range 30	Draft Final Landfill EE/CA Report submitted 03/13/02.	Apr-2004

230(7)	Fill Area N. of Landfill #2	Draft Final Landfill EE/CA Report submitted 03/13/02.	Dec-2005
069Q	Skeet Range	RI ongoing.	Sep-2007
070Q	Range 12: Competitive Pistol Range	RI ongoing.	Sep-2007
071Q	Range 13: Qualification Pistol Range	RI ongoing.	Sep-2007
075Q	Range 19: Qualification Pistol Range	RI ongoing.	Sep-2007
221Q-X	Former Rifle Grenade Range (Impact Area) N. of Washington Ranges	RI ongoing.	Sep-2007
222Q-X	Former Rifle Grenade Range (at skeet range)	RI ongoing.	Sep-2007
072Q-X	Range 16: Grenade Launcher Range/ Dud Impact Area	Requires RI.	Aug-2011
073Q-X	Range 17: Explosives Proficiency Training Area	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
091Q-X	Dud Impact Area	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
092Q-X	Former Tank Range	NFA requested. Draft SI submitted 12/16/02.	Dec-2003
093Q-X	Former Tank Range	NFA requested. Draft SI submitted 12/16/02.	Dec-2003
100Q	Former Rifle/Machine Gun Range (Firing Line)	NFA requested. Draft SI submitted 09/04/02.	Dec-2003
101Q	Former Rifle/Machine Gun Range	NFA requested. Draft SI submitted 08/26/02.	Dec-2003
102Q	Former Rifle/Machine Gun Range	NFA requested. Draft SI submitted 08/26/02.	Jan-2004
104Q	Former Rifle/Machine Gun Range	NFA requested. Draft SI submitted 12/20/02.	Apr-2004
106Q-X	Range 30: Former Rifle Range/Grenade Area	NFA requested. Draft SI submitted 08/26/02.	Jan-2004
107Q-X	Former Grenade Range	NFA requested. Draft SI submitted 12/16/02.	Dec-2003
115Q	Former Small Arms Range	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
116Q-X	Former 60 mm Mortar Range	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
117Q-X	Former Main Post Impact Area (Museum Area)	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
129Q-X	Vietnam Village on southwestern Main Post	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
133Q-X	Impact area, North Central Main Post.	NFA requested. Draft SI submitted 12/16/02.	Dec-2003
150Q	Former Rifle Range	Requires RI.	Aug-2011
151Q	Former Rifle Range	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004

200Q	Former Landscape Range (Washington Range)	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
201Q	Former Field Firing Range (Washington Range)	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
228Q	Former Machine Gun Transition Range	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
229Q-X	Former Rocket Launcher Range	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
230Q-X	Former 37 mm Anti tank range (Includes Parcels 149Q, 184(7) and 185(7))	Requires RI.	Dec-2006
231Q	Former Range (O.Q. - 2A)	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
194(7)	Former Weapons Demonstration Area	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
518(7)	South Gate Toxic Gas Yard	BCT agreed to NFA during Feb03 meeting. Awaiting Draft SI report.	Mar-2004
021(7)	UST @ Base Serv Station, Bldg 2109	NFA requested. Draft SI submitted 03/14/03.	Jan-2004
022(7)	UST @ Base Serv Station, Bldg 2109	NFA requested. Draft SI submitted 03/14/03.	Jan-2004
074Q	Range 18: Down Range Feedback (known distance) Range	RI ongoing.	Jan-2008
079Q	Range 23: Trainfire (Record) Range	RI ongoing.	Jan-2008
083Q	Range 25: Known Distance (KD) Range	RI ongoing.	Jan-2008
084Q-X	Range 26: Live Fire and Maneuver Area	RI ongoing.	Jan-2008
086Q	Range 28: Blank Fire and Maneuver Range	RI ongoing.	Jan-2008
118Q-X	Former Main Post Impact Area (Range 25 backstop)	RI ongoing.	Jan-2008
223Q	Former Range 25 - east. Rifle range	RI ongoing.	Jan-2008
227Q	Former Pistol Range	A portion of this parcel was determined NFA during the SI for Ranges So. of Range 25. A portion of the parcel is being addressed in the Baby Bains RI/FS. Final Baby Bains Gap EE/CA Workplan dated 01/24/02.	Jan-2008
088Q	Range 30: End of Cycle Test Range (Impact Area) (Includes Parcel 103Q)	Requires RI.	Dec-2005
103Q	Former Rifle/Machine Gun Range	Requires RI.	Dec-2005
130Q-X	Mock Village, located at present Yahoo Lake.	Requires RI.	Nov-2008
114Q-X	Former Large Caliber Range	Requires RI.	Nov-2008
087Q-X	Range 29: Weapons Demonstration Range	Requires RI.	Jul-2010
110Q	Former Rifle Range	Requires RI.	Jul-2010
111Q	Former Rifle Range	Requires RI.	Jul-2010

239Q-X	Impact Area, Central Main Post	Requires RI.	Jul-2010
089Q-X/ 215Q	Range 31- Weapons Demo Range	NFA requested. Draft SI submitted 02/26/03.	Dec-2005
N/A	Area North of MOUT Site	NFA requested. Draft SI submitted 09/04/02.	Jan-2004
132Q-X	Impact area, North Central Main Post.	NFA requested. Draft SI submitted 02/18/03.	Dec-2005
100Q	Former Rifle/Machine Gun Range (Impact Area)	PERA and PRA presented during the Feb03 BCT meeting. Recommended no further investigation and land use controls on groundwater and soil to restrict residential reuse. Awaiting submittal of Draft SI report.	Mar-2004
101Q	Former Rifle/Machine Gun Range (Impact Area)	PERA and PRA presented during the Feb03 BCT meeting. Recommended no further investigation and land use controls on groundwater and soil to restrict residential reuse. Awaiting submittal of Draft SI report.	Mar-2004
Alpha Area	M5-1L-(North) PR	Alpha Area EE/CA underway. FMC letter, dated 13Aug03, requested ADEM concurrence on NFA areas designated in the EE/CA.	Nov-2003
Alpha Area	M6-1L Remainder- I/AR	Alpha Area EE/CA underway. FMC letter, dated 13Aug03, requested ADEM concurrence on NFA areas designated in the EE/CA.	Nov-2003
Alpha Area	M6-1M Remainder - PR	Alpha Area EE/CA underway. FMC letter, dated 13Aug03, requested ADEM concurrence on NFA areas designated in the EE/CA.	Nov-2003
Alpha Area	M6-1M Remainder - I/AR	Alpha Area EE/CA underway. FMC letter, dated 13Aug03, requested ADEM concurrence on NFA areas designated in the EE/CA.	Nov-2003
Alpha Area	Smoke Ranges/T-38	Alpha Area EE/CA underway. FMC letter, dated 13Aug03, requested ADEM concurrence on NFA areas designated in the EE/CA.	Nov-2003
Alpha Area	M6-1L Suspect area - I/AR	Alpha Area EE/CA underway.	Dec-2006
Alpha Area	M5-1L-I	Alpha Area EE/CA underway.	Dec-2006
Alpha Area	M5-1L (South) - PR	Alpha Area EE/CA underway.	Dec-2006
Alpha Area	M6-1M Burn Pit - PR	Alpha Area EE/CA underway.	Dec-2006
Alpha Area	M6-1M Transect Area 1 (S)	Alpha Area EE/CA underway.	Dec-2006
Alpha Area	M6-1M Transect Area 2 (N)	Alpha Area EE/CA underway.	Dec-2006

Alpha Area	M6-1 Suspect Area (North) - PR	Alpha Area EE/CA underway.	Dec-2006
Alpha Area	M6-1M Suspect Area (South) PR	Alpha Area EE/CA underway.	Dec-2006
Bravo Area	Bravo Remaining Development Area	Bravo Area EE/CA underway. On-hold pending Hampton guidance regarding additional characterization for NFA areas.	Nov-2006
517(7)	CBR Proficiency Area	NFA requested. Final SI submitted 07/10/03.	Nov-2003

15.0 FINDING OF SUITABILITY FOR EARLY TRANSFER

Based on the above information, I conclude that all DOD requirements to reach a finding of suitability for early transfer of the Property to the JPA have been met for the Property. The proposed use of the Early Transfer Property by the transferee for the uses identified herein is consistent with protection of human health and the environment, subject to inclusion of and compliance with the covenants required by the Cleanup Agreement between the JPA and ADEM and the notifications in this document. In addition, the terms and conditions set forth in the attached EPP and Deed Notices shall be included in the deed for the property to further ensure the protection of human health and the environment. The EPP also includes the CERCLA §120(h) (3) (C) covenant and access provisions.

The transfer document for the Property will contain the following covenants and access clause:

- A. A covenant under the provisions of CERCLA §120(h)(3)(C)(iii) that when all response actions necessary to protect human health and the environment with respect to any substance remaining on the Property on the date of transfer have been taken, the United States shall execute and deliver to the Grantee an appropriate document containing a warranty that all such response actions have been taken. The making of the warranty shall be considered to satisfy the requirements of CERCLA §120(h)(3)(A)(ii)(I).
- B. The covenant under CERCLA §120(h)(3)(A)(ii)(II) warranting that any additional remedial action under CERCLA found to be necessary after the grant of the deferred warranty with respect to such hazardous substances remaining on the Property at the time of transfer shall be conducted by the United States.
- C. The clause as required by CERCLA §120(h)(3)(A)(iii) granting the United States access to the Property in any case in which remedial action or corrective action is found to be necessary after the date of transfer.

Raymond J. Fatz
Deputy Assistant Secretary of the Army
(Environmental, Safety and Occupational Health)

Signature Date

16.0 REFERENCES

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TABLES

FIGURES

ATTACHMENT 1

ENVIRONMENTAL PROTECTION PROVISIONS (EPP)

Fort McClellan, Alabama

Environmental Protection Provisions (EPP)

ATTACHMENT 1
Environmental Protection Provisions (EPPs)
Base Realignment and Closure (BRAC)
Parcels at Fort McClellan, Alabama

ENVIRONMENTAL PROTECTION PROVISIONS

The following conditions, restrictions, and notifications will be placed in the deed to ensure protection of human health and the environment and to preclude any interference with ongoing or completed remediation activities at Fort McClellan, Alabama.

INCLUSION OF PROVISIONS:

The person or entity to whom the property is transferred shall neither transfer the property, lease the property, nor grant any interest, privilege, or license whatsoever in connection with the property without the inclusion of the environmental protection provisions contained herein, and shall require the inclusion of such environmental protection provisions in all further deeds, transfers, leases, or grant of any interest, privilege, or license.

NO LIABILITY FOR NON-ARMY CONTAMINATION:

The U. S. Army shall not incur liability for response action or corrective action found to be necessary after the date of transfer, in any case, in which the person or entity to whom the property is transferred, or other non-Army entities is identified as the party responsible for contamination of the property.

CERCLA NOTICE AND COVENANTS:

The Grantee has received the technical environmental reports, including the Environmental Baseline Survey for the Property dated January 1998 and the Findings of Suitability for Early Transfer dated August 2003, prepared by the Grantor, and agrees, to the best of the Grantee's knowledge, that they accurately describe the environmental condition of the property. The Grantee has inspected the property and accepts the physical condition and current level of environmental hazards on the property and deems the property to be safe for the Grantee's intended use.

CERCLA COVENANT AND ADDITIONAL RESTRICTIVE EASEMENTS AND COVENANTS:

The Property will ultimately be conveyed, prior to completion of environmental remedial, or response actions, in accordance with the provisions of CERCLA 120(h)(3)(C). In conjunction with the Early Transfer, interim restrictions as identified in the Deed Notices (Attachment 2) will be imposed on certain portions of the property being transferred, as necessary to protect human health and the environment. Upon JPA's completion of all Regulatory Closure requirements, the Army shall issue the warranty required by Section 120(h) of CERCLA within 60 days of JPA providing a written request to the Army for the issuance of the warranty, in conjunction with appropriate amendments to the above referenced interim restrictions. In this warranty, the Army shall give the covenant required under CERCLA 120(h)(3)(A)(ii). If called for, pursuant to a final remedy, additional covenants, conditions, or restrictions, as a condition to the CERCLA Covenant may be required.

NOTICE OF THE PRESENCE OF ASBESTOS-CONTAINING MATERIALS (ACM) AND COVENANT:

- a. The Grantee is hereby informed and does acknowledge that friable asbestos or asbestos-containing materials (collectively "ACM") have been found on the Property. The locations and conditions of ACM are as described in the EBS and referenced asbestos surveys provided to the Grantee. Except as provided in Subsection b. below, the ACM on the Property does not currently pose a threat to human health or the environment and all friable asbestos that posed a risk to human health has either been removed or encapsulated.
- b. The buildings and structures identified in Table 8 have been determined to contain friable and non-friable asbestos that may pose a threat to human health. Detailed information is contained in the EBS and referenced asbestos surveys (Attachment 2). The Grantor has agreed to convey said buildings and structures to the Grantee prior to remediation of asbestos hazards, in reliance upon the Grantee's express representation and promise that the Grantee, its successors or assigns, will, prior to use or occupancy of said buildings or structures, remediate such friable asbestos or demolish said buildings or structures, or the portions thereof containing friable asbestos, and dispose of ACM in accordance with applicable laws and regulations. With respect to the friable asbestos in said buildings or structures, the Grantee, its successors or assigns, specifically agree to undertake any and

all notice posting, abatement or remediation that may be required under any law or regulation. The Grantee acknowledges that the consideration for the conveyance of the Property was negotiated based upon the Grantee's agreement to the provisions contained in this Subsection.

- c. The Grantee covenants and agrees that its use and occupancy of the Property will be in compliance with all applicable laws relating to asbestos. The Grantor assumes no liability for any future remediation of asbestos or damages for personal injury, illness, disability, or death, to the Grantee, its successors or assigns, or to any other person, including members of the general public, arising from or incident to purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos or ACM on the Property, whether the Grantee, its successors or assigns have properly warned or failed to properly warn the individual(s) injured. The Grantee, its successors and assigns, assumes no liability for damages for personal injury, illness, disability, death or Property damage, or indemnification obligations hereunder, arising from any exposure or failure to comply with any legal requirements applicable to asbestos or ACM on any portion of the Property arising prior to the Grantor's conveyance or lease of such portion of the Property to the Grantee.
- d. Unprotected or unregulated exposures to asbestos in product manufacturing and building construction workplaces have been associated with asbestos-related diseases. Both the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA) regulate asbestos because of the potential hazards associated with exposure to airborne asbestos fibers. Both OSHA and EPA have determined that such exposure increases the risk of asbestos-related diseases, including certain cancers that can result in disability or death.
- e. The Grantee acknowledges that it had the opportunity to inspect the Property as to its asbestos content and condition and any hazardous or environmental conditions relating thereto prior to accepting the responsibilities imposed upon the Grantee under this section. The failure of the Grantee to inspect or to be fully informed as to the asbestos condition of all or any portion of the Property, will not constitute grounds for any claim or demand against the Grantor, or any adjustment under this Deed.

- f. The Grantee further agrees to indemnify and hold harmless the Grantor, its officers, agents and employees, from and against any suits, claims, demands or actions, liabilities, judgments, costs and attorneys' fees arising out of, or in any manner predicated upon, exposure to asbestos on any portion of the Property after conveyance of the Property to the Grantee.

NOTICE OF THE POTENTIAL FOR PRESENCE OF POLYCHLORINATED BIPHENYLS (PCB) AND COVENANT:

- a. The Grantee is hereby informed and does acknowledge that equipment containing PCBs may exist on the Property to be conveyed, and is described as fluorescent light ballast ("Light Ballast"). All Light Ballast have been properly labeled in accordance with applicable laws and regulations in force at the time of purchase and installation to provide notification to future users, or has been removed and disposed of off post. Any PCB contamination or spills related to such Light Ballast has been properly remediated prior to conveyance. The Light Ballast does not currently pose a threat to human health or the environment.
- b. The Grantee covenants and agrees that its continued possession, use and management of any Light Ballast will be in compliance with all applicable laws relating to PCBs and PCB containing equipment, and the Grantor assumes no liability for the future remediation of the Light Ballast or damages for personal injury, illness, disability, or death to the Grantee, its successors or assigns, or to any other person, including members of the general public arising from or incident to future use, handling, management, disposition, or other activity causing or leading to contact of any kind whatsoever with the Light Ballast, whether the Grantee, its successors or assigns have properly warned or failed to properly warn the individual(s) injured. The Grantee agrees to be responsible for any future remediation of PCBs or PCB containing equipment found to be necessary on the Property.

NOTICE OF THE PRESENCE OF LEAD-BASED PAINT (LBP) AND COVENANT FOR THE USE OF THE PROPERTY FOR RESIDENTIAL PURPOSES:

- a. The Grantee is hereby informed and does acknowledge that all buildings and Residential Real Property on the Property that were constructed or rehabilitated prior to 1978, are presumed to contain lead-based paint (LBP). "Residential Real Property" means dwelling units and associated common areas and building exterior surfaces, and any surrounding land, including outbuildings, fences, and play equipment affixed to land, available for use by

residents (but not including land use for agriculture, commercial, industrial, or other non-residential purposes, and not including paint on the pavement of parking lots, garages, or roadways) and buildings visited regularly by the same child, 6 years of age or under, on at least two different days within any week, including day-care centers, preschools and kindergarten classrooms. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Every purchaser of any interest in Residential Real Property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damages, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women.

- b. The seller of any interest in Residential Real Property is required to provide the buyer with any information on the LBP hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known LBP hazards. Available information concerning known lead-based paint and/or lead-based paint hazards at Fort McClellan, the location of lead-based paint and/or lead-based paint hazards, and the condition of painted surfaces is contained in the EBS and (for residential properties) LBP inspections and risk assessment, which has been provided to the Grantee and is included in Attachment 3. The Grantee has also been provided with the federally approved pamphlet on lead poisoning prevention and hereby acknowledges receipt of all of the information described in this subparagraph.
- c. The Grantee acknowledges that it has received the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards prior to execution of this document.
- d. The Grantee, its successors and assigns, covenant and agree that they shall not permit the occupancy or use of any buildings or structures on the Property as Residential Real Property, as defined in subparagraph a, above, without complying with this section and all applicable federal, state, and local laws and regulations pertaining to lead-based paint and/or lead-based paint hazards. Prior to permitting the occupancy of Residential Real Property, the Grantee, its successor and assigns specifically agree to perform, at their sole expense, the Grantor's abatement requirements under Title X of the Housing and Community

Development Act of 1992 [(Residential Lead-Based Paint Hazard Reduction Act of 1992) (hereinafter Title X)].

In complying with these requirements, the Grantee, its successor and assigns, covenant and agree to be responsible for any remediation of lead-based paint or lead-based paint hazards on Residential Real Property found to be necessary after the date of conveyance to the Grantee as a result of the subsequent use of the Property as Residential Real Property. The Grantee covenants and agrees to comply with solid or hazardous waste laws that may apply to any waste that may be generated during the course of lead-based paint abatement activities.

- e. The Grantee, its successors and assigns, covenant and agree that they shall not permit the occupancy or use of any buildings or structures on the Property, as Residential Real Property or Child-Occupied Facilities, as defined by 40 CFR 745-223, without complying with this section and all applicable federal, state, and local laws and regulations pertaining to lead-based paint and/or lead-based paint hazards. Prior to permitting the occupancy of the Residential Real Property or a Child-Occupied Facility, the Grantee, its successor and assigns, specifically agree to perform, at its sole expense, the abatement requirements under Title X or any other requirements pertaining to lead-based paint hazards in Child-Occupied Facilities. A Child-Occupied Facility is considered to be a building, or portion of a building, visited regularly by the same child, 6 years of age or under, on at least two different days within any week (Sunday through Saturday period), provided that each day's visit lasts at least 3 hours and the combined weekly visit lasts at least 6 hours, and the combined annual visits last at least 60 hours. Child-Occupied Facilities may include, but are not limited to, day-care centers, preschools and kindergarten classrooms.
- f. The Grantee, its successors and assigns, shall, after consideration of the guidelines and regulations established pursuant to Title X: (1) Perform a Risk Assessment if more than 12 months have elapsed since the date of the last Risk Assessment; (2) Comply with the joint Department of Housing and Urban (HUD) Development and EPA Disclosure Rule (24 CFR 35, Subpart H, 40 CFR 745, Subpart F), when applicable, by disclosing to prospective purchasers the known presence of lead-based paint and/or lead-based paint hazards as determined by previous risk assessments; (3) Abate lead dust and lead-based paint hazards in pre-1960 Residential Real Property, as defined in paragraph A above, in accordance with the procedures in 24 CFR 35; (4) Abate lead soil hazards in pre-1978 Residential Real Property, as defined in paragraph A above, in accordance with the procedures in 24 CFR 35;

(5) Abate lead soil hazards following demolition and redevelopment of structures in areas that will be developed as residential real property; (6) Comply with the EPA lead-based paint work standards when conducting lead-based paint activities (40 CFR 745, Subpart L); (7) Perform the activities described in this paragraph within 12 months of the date of the lead-based paint risk assessment and prior to occupancy or use of the residential real property; and (8) Send a copy of the clearance documentation to the Grantor.

- g. The Grantor assumes no liability for remediation or damages for personal injury, illness, disability, or death, to the Grantee, its successors or assigns, sublessees or to any other person, including members of the general public, arising from lead-based paint or lead-based paint hazards on the Property. The Grantee further agrees to indemnify and hold harmless the Grantor, its officers, agents and employees, from and against all suits, claims, demands or actions, liabilities, judgments, costs and attorney's fees arising out of, or in any manner predicated upon, personal injury, death or property damage resulting from, related to, caused by or arising out of lead-based paint or lead-based paint hazards on the Property. The Grantee's obligation hereunder shall apply whenever the Grantor incurs costs or liabilities for actions giving rise to liability under this section. This section and the obligations of the Grantee hereunder shall survive the expiration or termination of this instrument and any conveyance of the Property to the Grantee. The covenants, restrictions, and requirements of this section shall be binding upon the Grantee, its successors and assigns, and all future owners and shall be deemed to run with the land. Accordingly, the Grantee, its successors and assigns, covenant that they will include and make legally binding, this section in all subsequent transfers, leases, or conveyance documents. The Grantee, its successors and assigns, assume no liability for damages for personal injury, illness, disability, death or property damage, or indemnification obligations hereunder, arising from any exposure or failure to comply with any legal requirements applicable to lead-based paint on any portion of the Property arising prior to the Grantor's conveyance of such portion of the Property to the Grantee.
- h. The covenants, restrictions, and requirements of this Section shall be binding upon the Grantee, its successors and assigns and all future owners and shall be deemed to run with the land. The Grantee, on behalf of itself, its successors, and assigns, covenants that it will include and make legally binding this Section in all subsequent transfers, leases, or conveyance documents.

NOTICE OF THE POTENTIAL FOR THE PRESENCE OF MUNITIONS AND EXPLOSIVE CONCERN (MEC),, AND COVENANT:

Notice of the potential presence of munitions and explosive concern (MEC), also known as ordnance and explosives (OE). (MEC, which distinguishes specific categories of military munitions that may pose unique explosives safety risks, means: (a) unexploded ordnance (UXO), as defined in 10 U.S.C. 2710(e)(9); (b) discard military munitions (DMM), as defined in 10 U.S.C. 2710(e)(2); or (c) explosive munitions constituents (e.g., TNT, RDX) present in high enough concentrations to pose an explosive hazard.)

Fort McClellan is a former military installation with a history of munitions use and therefore, there is a potential for MEC to be present. Based on a review of existing records and the EE/CA fieldwork data, the Property currently contains MEC and ORS items. MEC is a safety hazard and may constitute an imminent and substantial endangerment to the local populace and site personnel. The final end use of the Property has multiple uses, including development reserve, industrial, mixed business, cultural, retail, active recreation, and passive recreation. Until such time as appropriate response actions are complete, the Joint Powers Authority (JPA) and assigns are responsible for public safety, human health, and the environment on the subject property. Activities necessary prior to a munitions response action completion may require UXO escort and/or avoidance. If during these activities, MEC is discovered, the JPA or assigns shall be responsible for safely disposing of it. The JPA should monitor all visitors or site personnel and provide safety information for personnel that are allowed access to the Property. Upon completion of all munitions response actions, and in the event the JPA, its successors, and assigns should discover any MEC on the Property, it shall not attempt to disturb, remove or destroy it, but shall immediately notify the Calhoun County Sheriff's Department and competent Grantor or Grantor designated explosive ordnance personnel will be dispatched promptly to dispose of such ordnance at no expense to the Grantee.

MEC may be present on adjacent property in the Charlie Area. The U. S. Army plans to perform a munitions response (removal) on the adjacent property and retains the right to use exclusion zones. The munitions response may have an impact on the Property through use of exclusion zones that intersect the Property. Due to the use of exclusion zones, temporary notices and restrictions may be issued to protect public safety, human health, and the environment. These temporary restrictions and notices may include but are not limited to, the removal of MEC (OE) on the adjacent property, temporary evacuation, limited closure of

facilities, and environmental cleanup. In the unlikely event that evacuation is required, all action will be carried out as expeditiously as possible to minimize inconveniences to the JPA and assigns. Upon the completion of all required munitions response actions within the exclusion zones, all temporary notices and restrictions shall be removed.

NOTICE OF GROUNDWATER MONITORING WELLS AND COVENANT:

The Grantee is hereby informed and does acknowledge the presence on the Property of groundwater monitoring wells that are necessary for the Army to complete remedial action or monitoring after the date of transfer of title to the Property, or portions thereof.

NOTICE OF LANDFILLS:

The JPA is hereby informed and does acknowledge the presence of Landfill/Fill areas on the Property; Landfill No.1, Parcel 78(6), Landfill No. 2, Parcel 79(6), Landfill No. 3, Parcel 80(6), Landfill No. 4, Parcel 81(5) and Industrial Landfill, Parcel 175(5), Former Post Garbage Dump, Parcel 126(7), Fill Area East of Reilly Air Field, Parcel 227(7), Fill Area NW of Reilly Air Field, Parcel 229(7), Fill Area North of Landfill No. 2, and Fill Area at Range 30, Parcel 231(7). The Parcels are the subjects of an EE/CA (March 2002) which has been released to the Public and the Regulatory Community for review. The Army is currently addressing the comments received. JPA has received all existing environmental documents associated with these sites and will be provided with all future environmental documents pertaining to these landfill/fill areas. Control measures necessary to protect human health and the environment from any residual contamination and to prevent further access to waste are further specified in an interim LUCIP for these sites.

NOTICE OF THE PRESENCE OF ENDANGERED SPECIES AND COVENANT:

1. Gray bats (*Myotis grisescens*) are known to forage near Cane Creek and its tributary South Branch and Reilly Lake and are known to roost in caves and under bridges in the vicinity. Areas within the Transferred Premises that are adjacent to Cane Creek and its tributary South Branch and Reilly Lake have been identified as suitable gray bat foraging habitat (Figure 6 and Attachment 4). Gray bats are listed as endangered by the U.S. Fish and Wildlife Service (FWS) and are afforded Federal protection under the Endangered Species Act (ESA) of 1973, as amended. Section 9 of the ESA prohibits private landowners from “taking” (harm, harass, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) endangered species.

2. The following measures will limit potential take of gray bats on the Transferred Premises. Failure to follow these measures could subject the violator to criminal sanctions of the ESA:

- a) Gray bats are known to use man-made structures in the vicinity of the Property. Prior to removing or altering the structure of a bridge, abandoned buildings, or cistern, the structure should be checked for the presence of gray bats. The FWS will be contacted if bats are found to be present.
- b) Trees along Cane Creek and its tributary South Branch and Reilly Lake with moderate quality foraging habitat on the Transferred Premises provide protective cover and prey for foraging gray bats. Forest within 50 feet of these streams and the lake should not be removed. If removal of dead or live trees within 50 feet of this stream is necessary, the FWS should be consulted prior to cutting.
- c) Gray bats primarily feed on insects with an aquatic life stage; therefore, water quality and the physical characteristics of the streams and the lake affect the amount and types of insects available for these bats. State and Federal regulations pertaining to water quality and erosion control should be followed. Additionally, modification of the stream banks and water flow should be avoided to maintain present water quality and physical structure.
- d) Use of pesticides, particularly Malathion, should be managed according to a FWS consultation letter dated June 11, 1998. The Grantee should avoid (or eliminate or minimize) fogging in the vicinity of all moderate quality foraging habitat. FWS requested that if Malathion is used it should be sprayed only during daylight hours no earlier than one hour after sunrise and no later than one hour prior to sunset between March 15 and October 31. Use atmospheric conditions to determine appropriate timing for fogging on lands directly adjacent to foraging areas.

**NOTICE OF ARCHAEOLOGICAL PROPERTY AND PRESERVATION
COVENANT:**

1. In consideration of the conveyance of the real property that includes eight archaeological properties, 01CA0114, 01CA0129, 01CA0156, 01CA0157, 01CA0588, 01CA0598, 01CA0618, and 01CA0619 (Figure 8), located in the County of Calhoun, Alabama, the Grantee hereby covenants on behalf of itself, its heirs, successors, and assigns at all times to the Alabama State Historic Preservation Officer, to maintain and preserve the eight archaeological properties, in accordance with the provisions of paragraphs 2 through 11 of this covenant.
2. The Grantee will notify the Alabama State Historic Preservation Officer in writing prior to undertaking any disturbance of the ground surface or any other action on the archaeological properties, that would affect the physical integrity of the sites. Such notice shall describe in reasonable detail the proposed undertaking and its expected effect on the physical integrity of the archaeological properties.
3. Within thirty (30) calendar days of the appropriate Alabama State Historic Preservation Officer's receipt of notification provided by the Grantee pursuant to paragraph 2 of this covenant, the SHPO will respond to the Grantee in writing as follows:
 - (a) That the Grantee may proceed with the proposed undertaking without further consultation; or
 - (b) That the Grantee must initiate and complete consultation with the Alabama State Historic Preservation Office before it can proceed with the proposed undertaking.

If the Alabama State Historic Preservation Officer fails to respond to the Grantee's written notice, as described in paragraph 2, within thirty (30) calendar days of the Alabama State Historic Preservation Officer's receipt of the same, then the Grantee may proceed with the proposed undertaking without further consultation with the Alabama State Historic Preservation Officer.

4. If the response provided to the Grantee by the Alabama State Historic Preservation Officer pursuant to paragraph 3 of this covenant requires consultation with the Alabama State Historic Preservation Officer, then both parties will so consult in good faith to arrive at

mutually-agreeable and appropriate measures that the Grantee will employ to mitigate any adverse effects associated with the proposed undertaking. If the parties are unable to arrive at such mutually-agreeable mitigation measures, then the Grantee shall, at a minimum, undertake recordation for the concerned property--in accordance with the Secretary of Interior's standards for recordation and any applicable state standards for recordation, or in accordance with such other standards to which the parties may mutually agree--prior to proceeding with the proposed undertaking. Pursuant to this covenant, any mitigation measures to which the Grantee and the Alabama State Historic Preservation Officer mutually agree, or any recordation that may be required, shall be carried out solely at the expense of the Grantee.

5. The Grantee shall make every reasonable effort to prohibit any person from vandalizing or otherwise disturbing any archaeological site determined by the Alabama State Historic Preservation Officer to be eligible for inclusion in the National Register of Historic Places. Any such vandalism or disturbance shall be reported to the Alabama State Historic Preservation Officer promptly.
6. The Alabama State Historic Preservation Officer shall be permitted upon reasonable notice at a reasonable time to inspect the eight archaeological properties, in order to ascertain its condition and to fulfill its responsibilities hereunder.
7. In the event of a violation of this covenant, and in addition to any remedy now or hereafter provided by law, the Alabama State Historic Preservation Officer may, following reasonable notice to the Grantee, institute suit to enjoin said violation or to require the restoration of any archaeological site affected by such violation. The successful party shall be entitled to recover all costs or expenses incurred in connection with any such suit, including all court costs and attorney's fees.
8. The Grantee agrees that the Alabama State Historic Preservation Officer may, at its discretion and without prior notice to the Grantee, convey and assign all or part of its rights and responsibilities contained in this covenant to a third party.
9. This covenant is binding on the Grantee, its heirs, successors, and assigns in perpetuity, unless explicitly waived by the Alabama State Historic Preservation Officer. Restrictions, stipulations, and covenants contained herein shall be inserted by the Grantee, verbatim or by express reference in any deed or other legal instrument by which it divests itself of

either the fee simple title or any other lesser estate in the eight archaeological properties, or any part thereof.

10. The failure of the Alabama State Historic Preservation Officer to exercise any right or remedy granted under this instrument shall not have the effect of waiving or limiting the exercise of any other right or remedy or the use of such right or remedy at any other time.
11. The covenant shall be a binding servitude upon the real property that includes eight archaeological sites (Figure 8) and shall be deemed to run with the land. Execution of this covenant shall constitute conclusive evidence that the Grantee agrees to be bound by the foregoing conditions and restrictions and to perform the obligations herein set forth.

ATTACHMENT 2

DEED NOTICES

NOTICE UNEXPLORED ORDNANCE AND DISCARDED MILITARY MUNITIONS (UXO/DMM):

1. The boundary for the Alpha and Bravo Areas where the UXO/DMM deed notice apply is marked as the “No Public Access” area on the maps included in the LUCIP at Attachment 3. This notice is intended to minimize risk to human health and the environment and to promote human safety. The objective is to minimize the potential for exposure to UXO/DMM that may be present and is achieved by:

- a. Controlling access to areas known or suspected to contain UXO/DMM.
- b. Educating the public on the explosive hazards associated with munitions that may be present, particularly UXO, and the actions they should take (Recognize, Retreat, Report) should they encounter or suspect they have encountered UXO/DMM.

2. Inspections

- a. The Grantee shall inspect the Alpha Area daily and the Grantor shall inspect the Bravo Area daily to ensure the restrictions have not been violated. Violations will be addressed and managed according to Section 10 in the LUCIP Introduction.
- b. The inspections shall be documented.
- c. This area is within the police jurisdiction of the Anniston Police Department.
- d. The Army reserves the right to enter the property and may inspect the adequacy of the LUC.

3. Enforcement

- a. The Grantee will install warning signs as appropriate around the perimeter of areas that have been identified as “No Public Access” for the Alpha Area. All boundary signage will be within line of sight of the adjoining signs. Signs shall be spaced so that they may be readily seen from any approach to any access area and present a contiguous delineation of warning signs crossing access areas. Signage will be according to guidance by the Army and the Occupational Safety and Health Act.
- b. The Army installed gates and barriers, noted on the enclosed figure, as an interim LUC to deny access to areas undergoing characterization for UXO/DMM. The gates are under lock and key control. Signs on the gates warn persons to keep out of the areas beyond the gates.
- c. Additional gates or barriers may be added as needed.
- d. An active community outreach educational program outlining the dangers associated with UXO and entering areas that are known or suspected to contain UXO will be implemented and maintained. This program should be based upon the Army's UXO Safety Education Program and emphasize the Three Rs (Recognize, Retreat, Report).

The program must be provided to persons who are users of transferred portions of Fort McClellan and to the surrounding community. Intense UXO safety education must be provided to all residents of transferred areas used for housing that is in a former UXO area or immediately adjacent to a former UXO area. The GRANTEE will provide this program for the Alpha Area as well as for other Fort McClellan property transferred to the Grantee while the Army will continue to provide this program for the Bravo Area.

4. See the LUCIPs in Attachment 3 for further explanation of deed notice implementation.

See Deed Notice Summary Table below for applicable parcels.

NOTICE OF THE PRESENCE OF CONTAMINATED GROUNDWATER AND COVENANT:

1. The Grantee is hereby informed and does acknowledge that contaminated groundwater has been found on parcels 66(7), 94(7), and 80(6). The groundwater beneath these parcels is contaminated with chlorinated hydrocarbons. The groundwater at parcels 81(5) and 175(5) is undergoing groundwater monitoring under landfill closure required by ADEM.

2. Upon request, the Army agrees to furnish to the Grantee any and all records in its possession related to sites.

3. Restrictions and Conditions

Consumptive use or direct contact with groundwater is not allowed. The Grantee covenants for itself, its successors, and assigns not to access or use groundwater underlying the property for any purpose. For the purpose of this restriction, "groundwater" shall have the same meaning as in CERCLA Section 1012(12). The Grantee, for itself, its successors or assigns covenants that it shall not undertake nor allow any activity on or use of the property that would violate the restriction contained herein. These restrictions and covenants are binding on the Grantee, its successors and assigns; shall run with the land; and are forever enforceable.

4. Inspections

The Grantee shall inspect the areas semiannually to ensure the restriction has not been violated.

5. Modifying Restrictions

Nothing contained herein shall preclude the Grantee, its successors or assigns, from undertaking, in accordance with applicable laws and regulations and without any cost to the Grantor, such additional action necessary to allow for an expanded use of the Property. Prior to expanding the use of the Property, Grantee shall consult with and obtain the written approval of the Grantor, and, as appropriate, the State or Federal regulators, or the local authorities. Upon the Grantee's obtaining the approval of the Grantor and, as appropriate, State or Federal regulators, or local authorities, the Grantor agrees to record an amendment hereto resulting from such modification or release. This recordation shall be the responsibility of the Grantee. All costs of this are to be borne by the party seeking to release or modify the restriction.

6. Enforcement

The restriction and conditions benefit the public in general and the land surrounding the Property and, therefore, are enforceable by the United States and other interested parties in accordance with federal, state or local law. The Grantee covenants for itself, its successors and assigns that it shall include and otherwise make legally binding, the restrictions in all subsequent lease, transfer or conveyance documents relating to the property subject hereto and shall be liable for any costs that result from its violation of this restriction. The Grantor will not be liable for any costs that result from a violation of this restriction.

7. See the LUCIPs in Attachment 3 for further explanation of this deed notice implementation.

See Deed Notice Summary Table below for applicable parcels.

NOTICE OF THE PRESENCE OF GROUNDWATER MONITORING WELLS

1. The Grantee is hereby informed and does acknowledge the presence on the Property of groundwater monitoring wells that are necessary for groundwater monitoring after the date of transfer of the title to the Property, or portions thereof. These wells are located in the following areas or parcels: Alpha Area, 66(7), 94(7), 79(6), 80(6), 81(5), 175(5), 227(7), 126(7), 229(7), 230(7), Bravo Area, 194(7), 518(7), Ranges West of Iron Mountain Road (outside Bravo Area), 183(6), 186(6), 510(7), 511(7), 512(7).

2. Upon determination by the Grantee that a groundwater monitoring well is no longer necessary, the appropriate party will abandon such well at their expense in accordance with applicable laws and regulations.
3. The deed will reserve a non-exclusive easement to allow continued access for the Grantor (or its designated contractor) and the regulatory agencies to permit necessary groundwater monitoring at wells located on the property. The Grantor and its representatives shall, for all time, have access to the property for the purpose of installing, maintaining, and/or removing groundwater monitoring wells and to perform continued monitoring of groundwater conditions, allowing chemical and/or physical testing of wells to evaluate water quality and/or aquifer characteristics. The property owner shall allow ingress and egress of all equipment necessary to accomplish the same. Furthermore, the deed will prohibit all others from tampering with the groundwater monitoring wells.
4. The Grantee (or its designated contractor) will continue to perform groundwater monitoring on the Property to monitor the effectiveness of the remedy. It is anticipated that groundwater monitoring will be discontinued within five years unless the data indicate otherwise.
5. Enforcement:
These restrictions benefit the public in general and the land surrounding the Property and, therefore, are enforceable by the United States and other interested parties allowed by federal, state or local law. The Grantee covenants for itself, its successors, and assigns that it shall include and otherwise make legally binding, the restrictions herein in all subsequent lease, transfer or conveyance documents relating to the Property subject hereto and shall be liable for any costs that result from its violation of this restriction. The Grantor will not be liable for any costs that result from a violation of this restriction.
6. See the LUCIPs in attachment 3 for further explanation of this deed notice implementation.

See Deed Notice Summary Table below for applicable parcels and Figure 11.

NOTICE OF NO SOIL-DIGGING, EXCAVATION OR DISTURBANCE:

1. The Grantee is hereby informed and does acknowledge that certain portions of the Property are assigned a dig restriction related to the soil for the protection of human health. Digging or disturbance of soils is not allowed. The no-dig restriction encompasses parcels 78(6), 79(6), 80(6), 81(5), 175(5), 227(7), 126(7), 229(7), 230(7).

2. Upon request, the Army agrees to furnish to the Grantee any and all records in its possession related to sites.

3. Restrictions and Conditions

The Grantee covenants for itself, its successors, and assigns not to dig or excavate in the property for any purpose. The Grantee, for itself, its successors or assigns covenants that it will not undertake nor allow any activity on or use of the property that would violate the restriction contained herein. These restrictions and covenants are binding on the Grantee, its successors and assigns; shall run with the land; and are forever enforceable.

4. Inspections

- a. The Grantee shall inspect the areas semiannually to ensure the restriction has not been violated.
- b. The Grantee shall conduct an annual site inspection of parcels 78(6), 79(6), 80(6), 81(5), and 175(5) to assess the integrity of the soil cover and any proposed or completed corrective actions.
- c. Inspections shall be documented.
- d. This area is within the police jurisdiction of the Anniston Police Department.

5. Modifying Restrictions

Nothing contained herein shall preclude the Grantee, its successors or assigns, from undertaking, in accordance with applicable laws and regulations and without any cost to the Grantor, such additional action necessary to allow for an expanded use of the Property. Prior to expanding the use of the Property, Grantee shall consult with and obtain the written approval of the Grantor, and, as appropriate, the State or Federal regulators, or the local authorities. Upon the Grantee's obtaining the approval of the Grantor and, as appropriate, State or Federal regulators, or local authorities, the Grantor agrees to record an amendment hereto resulting from such modification or release. This recordation shall be the

responsibility of the Grantee. All costs of this are to be borne by the party seeking to release or modify the restriction.

6. Enforcement

The restriction and conditions benefit the public in general and the territory surrounding the property, including lands retained by the United States, and, therefore, is enforceable by the United States government and other interested parties allowed by federal, state or local law. The Grantee covenants for itself, its successors and assigns that it shall include and otherwise make legally binding, the restrictions in all subsequent lease, transfer or conveyance documents relating to the property subject hereto and shall be liable for any costs that result from its violation of this restriction. The Grantor will not be liable for any costs that result from a violation of this restriction.

7. See the LUCIPs in Attachment 3 for further explanation of this deed notice implementation.

See the Deed Notice Summary Table below for applicable parcels.

NOTICE OF RESTRICTED USE

1. Restrictions and Conditions

The Grantee, for itself, its successors, and assigns, covenants not to use parcels 194(7), 518(7), 183(6), 186(6), 510(7), 511(7), 512(7), and the Ranges West of Iron Mountain Road (outside the Bravo Area) for any purpose pending completion of characterization and any required response actions. The Grantee, for itself, its successors or assigns, covenants that it will not undertake nor allow any activity on or use of the property that would violate the restrictions contained herein. These restrictions and covenants are binding on the Grantee, its successors and assigns; shall run with the land; and are forever enforceable.

2. Inspections

- a. The Grantor shall inspect the areas daily to ensure the restrictions have not been violated.
- b. The inspections shall be documented.

- c. The area is within the police jurisdiction of the Anniston Police Department.
- d. The Grantor reserves the right to enter the property and may inspect the adequacy of the LUC.

3. Modifying Restrictions

Nothing contained herein shall preclude the Grantee, its successors or assigns, from undertaking, in accordance with applicable laws and regulations and without any cost to the Grantor, such additional action necessary to allow for an expanded use of the Property. Prior to expanding the use of the Property, Grantee shall consult with and obtain the written approval of the Grantor, and, as appropriate, the State or Federal regulators, or the local authorities. Upon the Grantee's obtaining the approval of the Grantor and, as appropriate, State or Federal regulators, or local authorities, the Grantor agrees to record an amendment hereto resulting from such modification or release. This recordation shall be the responsibility of the Grantee. All costs of this are to be borne by the party seeking to release or modify the restriction.

4. Enforcement.

These restrictions benefit the public in general and the land surrounding the Property and, therefore, are enforceable by the United States and other interested parties allowed by federal, state or local law. The Grantee covenants for itself, its successors, and assigns that it shall include and otherwise make legally binding, the restrictions herein in all subsequent lease, transfer or conveyance documents relating to the Property subject hereto and shall be liable for any costs that result from its violation of this restriction. The Grantor will not be liable for any costs that result from a violation of this restriction.

5. See the LUCIPs in Attachment 3 for further explanation of this deed notice implementation.

See Deed Notice Summary Table below for applicable parcels.

NOTICE OF NON-RESIDENTIAL USE:

1. Restrictions

The Grantee, for itself, its successors, and assigns, covenants not to use parcels 79(6) and 80(6) for residential purposes. Residential uses include, but are not limited to, housing,

daycare facilities, playgrounds and schools (excluding education and training programs for persons over 18 years of age), and assisted living facilities. The Grantee, for itself, its successors or assigns, covenants that it will not undertake nor allow any activity on or use of the property that would violate the restrictions contained herein. These restrictions and covenants are binding on the Grantee, its successors and assigns; shall run with the land; and are forever enforceable.

2. Modifying Restrictions

Nothing contained herein shall preclude the Grantee, its successors or assigns, from undertaking, in accordance with applicable laws and regulations and without any cost to the Grantor, such additional action necessary to allow for an expanded use of the Property. Prior to expanding the use of the Property, Grantee shall consult with and obtain the written approval of the Grantor, and, as appropriate, the State or Federal regulators, or the local authorities. Upon the Grantee's obtaining the approval of the Grantor and, as appropriate, State or Federal regulators, or local authorities, the Grantor agrees to record an amendment hereto resulting from such modification or release. This recordation shall be the responsibility of the Grantee. All costs of this are to be borne by the party seeking to release or modify the restriction.

3. Enforcement.

These restrictions benefit the public in general and the land surrounding the Property and, therefore, are enforceable by the United States and other interested parties allowed by federal, state or local law. The Grantee covenants for itself, its successors, and assigns that it shall include and otherwise make legally binding, the restrictions herein in all subsequent lease, transfer or conveyance documents relating to the Property subject hereto and shall be liable for any costs that result from its violation of this restriction. The Grantor will not be liable for any costs that result from a violation of this restriction.

4. See the LUCIPs in Attachment 3 for further explanation of this deed notice implementation.

See Deed Notice Summary Table below for applicable parcels.

NOTICE OF NON-RECREATIONAL USE OF REILLY LAKE:

1. The Grantee is hereby informed and does acknowledge that the following activities are restricted in this area:
 - a. Swimming, wading, fishing, or harvesting aquatic animals in the lake, wetlands, and streams is not allowed.
 - b. Consumption of fish or other aquatic animals found in the lake, wetlands, and streams is not allowed.
2. The Grantee is hereby notified and does acknowledge that
 - a. There are a few signs around the Reilly Lake area warning the area is off limits to all recreational activities. Additional signs prohibiting fishing and swimming in the lake, wetlands, and streams will be placed on the property. The boundary signage will be within line of sight of the adjoining signs. Signs shall be spaced so that they may be readily seen from any approach to any access area and present a contiguous delineation of warning signs crossing access areas. The Grantee shall be responsible for placing these signs.
 - b. It is noted that gates restrict access to roads leading to the Reilly Lake Area.
3. Inspections
 - a. The Grantee shall inspect the area daily to ensure the restrictions have not been violated.
 - b. The inspections shall be documented.
 - c. This area is within the police jurisdiction of the Anniston Police Department
4. See the LUCIPs in Attachment 3 for further explanation of this deed notice implementation.

Deed Notice Summary Table:

Restriction(s):	Parcel(s) or Areas	Contaminant/Constituent of Concern
UXO/DMM (Public access is not allowed)	Alpha Area, Bravo Area, 230(7)	UXO,/DMM, munitions constituents
Groundwater (consumption or direct contact is not allowed)	66(7), 94(7), 80(6), 81(5), 175(5),	parcels 66(7), 94(7), and 80(6) - chlorinated hydrocarbons
Groundwater Monitoring Wells	Alpha Area, 66(7), 94(7), 79(6), 80(6), 81(5), 175(5), 227(7), 126(7), 229(7), 230(7), Bravo Area, 194(7), 518(7), Ranges West of Iron Mountain Road (outside Bravo Area), 183(6), 186(6), 510(7), 511(7), 512(7)	not applicable
Soil Related (prohibiting digging, excavation or disturbance of soil)	78(6), 79(6), 80(6), 81(5), 175(5), 227(7), 126(7), 229(7), 230(7),	parcel 79(6) - metals (lead and arsenic) and semivolatile organic compounds (polynuclear aromatic hydrocarbons); parcel 80(6)– volatile organic compounds
Restricted Use (pending completion of characterization and any required response actions)	194(7), 518(7), 183(6), 186(6), 510(7), 511(7), 512(7), and the Ranges West of Iron Mountain Road (outside the Bravo Area)	not applicable
Non-Residential Use (include, but are not limited to housing, daycare facilities, playgrounds, school, and assisted living facilities)	79(6), 80(6)	parcel 79(6) - metals (lead and arsenic), semivolatile organic compounds and polynuclear aromatic hydrocarbons; parcel 80(6) – volatile organic compounds.
Non-Recreational Use (prohibiting swimming, wading, fishing, harvesting aquatic animals in the lake, wetlands, and streams; and prohibiting consumption of fish or other aquatic animals found in the lake,	Reilly Lake Area	metals, particularly mercury, and pesticides in soils and metals and semivolatile organic compounds in surface water

wetlands, and streams is not allowed.)		
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ATTACHMENT 3

LAND USE CONTROL IMPLEMENTATION PLANS (LUCIPs)

1. Alpha Area
2. Parcels 66(7) & 94(7)
3. Parcel 78(6)
4. Parcel 79(6)
5. Parcel 80(6)
6. Parcels 81 (5) & 175(5)
7. Parcels 227(7) & 125(7)
8. Parcel 229(7)
9. Parcel 230(7)
10. Reilly Lake
11. Bravo Area
12. Parcels 194(7), 518(7), Parcel 183(6), Parcel 510(7), Parcels 511(7) & 512(7)
Ranges West of Iron Mountain Road (outside Bravo Area),

INTERIM RESTRICTIONS:

The LUCIP provided in this attachment shall be deemed incorporated into the deed via the Deed Notices listed in Attachment 2 of this FOSET. The LUCIP documents the interim restrictions necessary for the protection of human health and the environment that are in place during the characterization and any potential cleanup of sites. These interim restrictions may be implemented through utilization of Deed Notices in the FOSET and under the Cleanup Agreement between the JPA and ADEM. Prior to completion of characterization and response actions, exposure to UXO/DMM may present an increased risk to human health and safety. Based upon this determination, interim LUC are placed on the property pending completion of characterization and response actions to include any interim or early response actions.

ATTACHMENT 4

LAND USE CONTROL ASSURANCE PLAN

ATTACHMENT 5

ACM SURVEY REPORTS

ATTACHMENT 6

LEAD-BASED PAINT RISK ASSESSMENT AND SURVEY REPORTS

ATTACHMENT 7

BIOLOGICAL ASSESSMENT REPORT

ATTACHMENT 8

STATEMENT OF CLEARANCE FOR THE M1.01 PARCEL AND M3 MISCELLANEOUS PROPERTY

ATTACHMENT 9
RESPONSIVENESS SUMMARY AND
REGULATORY UNRESOLVED COMMENTS